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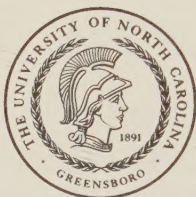
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HUGH LAWSON WHITE,
FRONTIERSMAN, LAWYER, AND JUDGE

By L. PAUL GRESHAM

It is probable that the period in Hugh Lawson White's life upon which he could look back with greatest satisfaction after his retirement was that during which he was planning his career and establishing himself as a lawyer and jurist in Tennessee. In later life he filled higher offices and received wider acclaim than in his youth, but almost always these offices and this acclaim were attended by reverses and disappointments that he had not known earlier. To understand his advancement to the higher positions and his reactions while filling these positions as a politician in the national sphere it is necessary to know something of White's training for a career and of his rise in his chosen profession of the law. This profession he probably should never have left, assuming that he wanted happiness and satisfaction in his work more than the uncertain honors of political advancement.¹

A. *Frontier Background*

Hugh Lawson White's ancestry was largely Scotch-Irish. The earliest progenitor bearing the same surname, who has been known to the family in America, was his great-grandfather, Moses White. This White came from North Ireland to America about 1726, some years after his marriage to Mary Campbell (of the Campbell family which was to achieve fame in the history of both Virginia and Tennessee).² Through this connection with the Campbells, the ancestral line of Hugh White may be traced back to Inverary, Argleshire, Scotland, the home of the clan Campbell, from which a Hugh Campbell, great-grandfather of the Mary Campbell mentioned above, moved in 1612 to an estate in North Ireland.³

Moses and Mary Campbell White settled in Chester County, Pennsylvania, where the family remained for sixteen years. In 1742, they moved south into North Carolina, settling in that part of Rowan

¹ L. Paul Gresham, "Hugh Lawson White as a Tennessee Politician and Banker, 1807-1827," *East Tennessee Historical Society's Publications*, No. 18 (1946), 25, 26.

² Margaret Campbell Pilcher, *Historical Sketches of the Campbell, Pilcher and Kindred Families* (Nashville, 1911), 10-11; C. M. McClung Papers, XII, 319 (in Lawson McGhee Library, Knoxville, Tennessee).

³ Pilcher, *Historical Sketches*, 10-11; Governor David Campbell to Lyman Draper, April 7, 1840, Governor David Campbell Papers, VII (Duke University Library, Durham, N. C. Microfilm copy in Joint University Library, Nashville).

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County which later became Iredell.⁴ They were accompanied by a married son, also named Moses White, to whose wife, Mary McConnell White, was born, five years after the settlement in North Carolina, a son, James.⁵

This James White, father of Hugh Lawson, had a career of some significance in itself, and he deserves a separate historical treatment. Born in Rowan County in 1747, he grew up as a frontiersman. He was married, on April 14, 1770, to Mary Lawson, daughter of Hugh and Mary Moore Lawson of the same county.⁶ During the American Revolution, he joined the North Carolina militia and attained the rank of captain, 1779-1783.⁷ For his military service he received land warrants under North Carolina land laws of 1782 and 1783,⁸ but apparently he sold most of them to other men, who were interested in land in the Cumberland Basin, and bought land of his own choice elsewhere.⁹ At any rate, by 1785 James White was residing above the junction of the French Broad and Holston rivers and the next year had built a cabin within the bounds of the later city of Knoxville.¹⁰ In 1785 he had served as a member of the constitutional convention of the state of Franklin, and thereafter he was recognized as one of the first citizens of Tennessee. He occupied at different times a great many of the higher offices, both military and civil, under the territorial

⁴John H. Wheeler, *Historical Sketches of North Carolina, from 1845 to 1851*, Second edition, 2 vols. (New York, 1925), II, 215.

⁵Record in the family Bible of General James White (deposited in Lawson McGhee Library, Knoxville, by his great-great-grandson, William Williams French of Birmingham, Alabama).

⁶McClung Papers, XII, 13; C. W. Coleman, "Genealogy of the Smith Family of Essex County, Virginia," *William and Mary College Quarterly Historical Magazine*, First series, VI (1898), 52-53; record in family Bible of General James White, citing Rowan County records; Worth S. Ray, *The Mecklenburg Signers and Their Neighbors* (Austin, Tex., 1946), 490.

⁷Francis B. Heitman, *Historical Register of Officers of the Continental Army* (Washington, 1914), under "White, James (N. C.)."

⁸*North Carolina State Records*, 26 vols. (Goldsboro, N. C., 1886-1907), XIX, 642; Samuel G. Heiskell, *Andrew Jackson and Early Tennessee History*, Second edition, 3 vols. (Nashville, 1920), I, 59-60.

⁹Under the act of 1783 soldiers were allowed to locate military claims in an area, including roughly the northern half of present Middle Tennessee, known as the North Carolina Military Reservation. See Albert C. Holt, *Economic and Social Beginnings of Tennessee* (Nashville, 1923), 76, 139. No original grants to James White, based directly on military warrants, are recorded in the Tennessee Land Office, Tennessee State Archives.

¹⁰Stanley J. Folmsbee and Lucile Deaderick, "The Foundling of Knoxville," *East Tennessee Historical Society's Publications*, No. 13 (1941), 6; J. G. M. Ramsey, *Annals of Tennessee* (Philadelphia, 1860), 278, 372, 374.

and state governments.¹¹ In 1798 he was given a lucrative federal position as a commissioner under the assessment law.¹² With the coming of the War of 1812, he marched, at an advanced age, as a brigadier-general in the southern Indian campaigns.¹³ He died after a busy and useful life on August 14, 1821 and was buried in the cemetery in the yard of the First Presbyterian Church at Knoxville, on land which he had donated to the infant congregation when he laid off the town thirty years before.¹⁴ His influence and interest in all affairs in the West made it almost inevitable that his son, too, would be drawn into public life.¹⁵

¹¹ *American Historical Magazine* (Nashville, 1896-1904), I, 63; *Dictionary of American Biography* (New York, 1928-1937), XX, 108. James White was a member of the North Carolina legislature from the back country after the collapse of the state of Franklin, a founder of Knoxville, a member of the Tennessee constitutional convention, 1796, a state senator for a number of years, and for a time president of the senate. The latter office he relinquished in 1798 so that William Blount, just expelled from the United States Senate, where he had been charged with intrigue with the English, might be elected to the place. See White to John Sevier, September 6, 1798, Roane Papers (Tennessee State Library); *Tennessee Senate Journal*, 1797-1798, pp. 7, 20, 22, 269; Isabel Thompson, "The Blount Conspiracy," *East Tennessee Historical Society's Publications*, No. 2 (1930), 3-21. After Blount's death, White was again president of the senate for one term. During all this time he was active in affairs of the Knox County court and served as colonel of the militia. See "Journal of William Blount," *American Historical Magazine*, II, 228, 244; Clarence E. Carter (ed.), *Territorial Papers of the United States*, IV, *Territory South of the River Ohio*, 1790-1796 (Washington, 1936), 449.

¹² State Department Archives, Appointment Papers, file of Hugh Nelson, recommendations by Joseph Anderson and William C. C. Claiborne, 1798 (The National Archives, Washington, D. C.).

¹³ White's War of 1812 record in the War Department Archives, Adjutant General's Office, The National Archives (card numbers 38448349 and 38448353), shows that he served one hundred and one days, September 23, 1813, to January 1, 1814.

¹⁴ *Knoxville Gazette*, December 31, 1791; Samuel Cole Williams, *History of the Lost State of Franklin* (New York, 1933), 302.

¹⁵ Besides Hugh Lawson, other members of General White's family became renowned and respected citizens of the western country. The oldest child, Margaret, married Charles McClung, one of the first merchants in Knoxville and a member of the legislatures of the Southwest Territory and Tennessee. See *Knoxville Gazette*, November 29, 1792, January 30, 1794; *Territory of the United States South of the River Ohio*, *Journal of the Legislative Council*, 1794-1796, pp. 3, 4; *Tennessee Senate Journal*, 1796, p. 3; Joshua W. Caldwell, "Constitution-Making in Tennessee," *Proceedings of the Thirteenth Annual Meeting of the Bar Association of Tennessee*, VI (1894), 72-87. The second was Hugh Lawson, the subject of this study. A third, Moses White, became prominent in Tennessee politics and was, along with other members of the family, an influential promoter of the University of Tennessee. See *Tennessee House Journal*, 1855-1856, p. 540; *Nashville Banner*, January 28, 1856; Moses White, *Early History of the University of Tennessee* (Knoxville, 1879). The next, Andrew, died in Knoxville when only a young man. Coleman, "Genealogy of the Smith Family . . .," *loc. cit.*, 50. Mary McConnell White married at different times two well-known Nashville figures—Dr. A. F. May, who seems to have achieved more notoriety as a duelist than as a physician, and Judge John Overton. See *Tennessee Papers*, Draper Collection, V, number 244 (Originals in Wisconsin Historical Society, Madison. Microfilm copy in Joint University Library, Nashville). Cynthia Berry, the sixth child and the first born in Tennessee, married General Thomas Adams Smith, U.S.A., once commanding officer in Arkansas Territory, where Fort Smith was named for him. William Henry Harrison is reported to have once referred to him as "the most accomplished officer in the service." See Coleman, "Genealogy of the Smith Family . . .," *loc. cit.*, 49. The youngest, Melinda, married Col. John Williams, U.S.A., United States senator, minister to Guatemala, etc. *Ibid.*; *Tennessee Papers*, Draper Collection, V, number 24.

Hugh Lawson White was twelve years old when his family moved to Tennessee. He had been born in Rowan County on October 30, 1773.¹⁶ Virtually nothing, however, is known of his early years east of the mountains or of occurrences in his family, with the exception of his father's military experience as mentioned previously. Nevertheless, it is very obvious that the move to the raw frontier was a crucial event in the boy's life. In the first place, it meant that dangers and privations would for a time be well-known to him. It further meant that, because of the circumstances under which the migration was made, he would have unusual opportunities to take part in the financial, cultural, and political development of the new Southwest. The activities of his father as a land dealer and especially as a political and military figure have already been noticed. But other circumstances, which were vital to the careers of the White's, father and son, concern the picturesque figure of William Blount.

Blount was a master speculator who also delved into politics, business and politics proving mutually helpful in his advancement.¹⁷ Strong, if not conclusive, evidence exists for the theory that back of James White and the neighbors who moved with him from North Carolina in 1784 was a colossal speculator ring headed by Blount.¹⁸ Even more convincing is Blount's choice of Knoxville as the capital of the new Southwest Territory, when it was created in 1790 with him as governor.¹⁹ Still further evidence that the Governor's own interests were tied up with the whole arrangement was his appointment of Hugh Lawson White, eighteen-year-old son of James White, as his private secretary, shortly after the government was set up in Knoxville. This skein of developments, to which might be added James White's resignation from the state senate in 1798 in favor of Blount,²⁰ and other incidents involving the Blounts and Hugh Law-

¹⁶McClung Papers, XII, 7. According to L. Hunter, *Sketches of Western North Carolina* (Raleigh, 1877), 202, White was born "on the plantation now [1877] owned by Thomas Caldwell, Esq., about two miles east of Beattie's Ford, on the Catawba River. The old family mansion has long since disappeared, and the plow now runs smoothly over its site."

¹⁷See Thomas P. Abernethy, *Western Lands and the American Revolution* (New York, 1937), 260-261, and by the same author, *From Frontier to Plantation in Tennessee* (Chapel Hill, 1932), 288-293.

¹⁸Abernethy, *From Frontier to Plantation in Tennessee*, 75-79.

¹⁹It seems unlikely that it was mere chance or friendship for James White, only, that led Blount to place the seat of the government in this wilderness spot where no real town existed, and thus to enhance many times the value of the property. Geographically, of course, the place was a good choice, but it would appear that other factors, of a business nature, were involved. *Ibid.*, 119; Carter (ed.), *Territorial Papers*, IV, 449.

²⁰"Journal of William Blount," *American Historical Magazine*, VI, 218-219. Blount's practice of nepotism is quite obvious. A recent historian has said on good authority that such offices as secretaryships were "invariably reserved for his family connections and business associates." Abernethy, *From Frontier to Plantation in Tennessee*, 119. See also *American Historical Magazine*, VI, 258-259.

son himself,²¹ come just short of proving that there was a direct business and political connection between the two families. In all events, they do show conclusively that young White was placed in a position after the removal to Tennessee where he could advance rapidly into places of honor and influence in the leadership of the frontier commonwealth. His family was clearly second only to the Blounts in the new capital; his opportunities for advancement seemed almost unlimited, provided his abilities proved equal to the opportunities and provided his talents could be brought through formal schooling and other experiences to full development.

Training for the public career which seemed to lie open to the youth did come, even some time before his appointment to the secretaryship. It seems probable that he received some rudimentary instruction at home, both before and after he came to Tennessee. At any rate, by the time he reached the age of fifteen he had a sufficient foundation in basic knowledge to take up the study of classical languages under the Reverend Samuel Carrick, the local Presbyterian minister, who had just moved to the vicinity of White's Fort²² and who was to become one of the outstanding educators of early Tennessee.²³

A tradition has persisted which pictures White, a tall, slender lad, going in the spring of 1788 to the home of the Reverend Carrick for the purpose of making the arrangements for studying under his tutorship. According to the story, he found the minister busy shearing his sheep, assisted by his daughter, Elizabeth Moore Carrick. Between Hugh Lawson and the daughter there immediately developed, supposedly, an affection which culminated ten years later in their marriage.²⁴ The general tenor of the story may be credited, although the love affair would seem a little far-fetched since Elizabeth Carrick was only five years of age in 1788.²⁵ At any rate, White studied under the Reverend Carrick, probably during the greater part of the three years until his appointment as secretary to Governor Blount.

²¹After William Blount's death in 1800, the younger White became the guardian of his son, William G. Blount, for four years—an interesting episode for White, indeed. Knox County Records, D, Will Book, 1792-1803 and Guardian Book, 1792-1821, pp. 43, 48, 56.

²²The settlement was known by this name until the establishment of the territorial government, when it was rechristened Knoxville after the then Secretary of War, Williams, *History of the Lost State of Franklin*, 302; Ramsey, *Annals of Tennessee*, 374-375; Folmsbee and Deaderick, "The Founding of Knoxville," *loc cit.*, 7.

²³Thomas C. Karns, "The University of Tennessee," in Lucius Salisbury Merriam (ed.), *Contributions to American Educational History*, number 16, *Higher Education in Tennessee* (Washington, 1893), 63.

²⁴Heiskell, *Andrew Jackson and Early Tennessee History*, I, 645.

²⁵McClung Papers, XII, 7. The couple were married on December 13, 1798, when White was twenty-five and his bride fifteen. Family Bible of General James White. Cf. William Rule, *History of Knoxville* (Chicago, 1900), 80.

The accounts do not mention that any subjects other than languages were included in Carrick's curriculum as tutor, but it seems probable that he acquainted his pupil with a wider variety of interests. Perhaps he taught a program of studies similar to that which he advertised in December, 1792, just before the opening of his "seminary"—the forerunner of Blount College, East Tennessee College, and the University of Tennessee.²⁶ In a "notice" of his seminary at that time, published in the local newspaper, he announced:

A Seminary

Will be opened on the first of January, at the Seat, and under the direction of the Subscriber, near Knoxville, where will be taught a Competent Introduction to the

Latin and Greek Languages

Attending particularly to the grammatical construction, the true Pronunciation, the Design and Connection of each author.

The *English Language* grammatically, applying the Rules in Reading, Parsing, Correcting and Composing.

The *Liberal Arts and Sciences*, viz. Geography, Logic, Natural and Moral Philosophy, Astronomy and Rhetoric.

The Seminary will be open *Two Sessions* in the year, consisting of five months each. The terms of tuition will be Seven Dollars per scholar for each session paid at entrance. Beginners in Latin will be admitted at the Commencement of a Session only, which will be the first of January and the first of July annually.

(Signed)

Samuel Carrick²⁷

By the time the seminary opened, White had assumed his secretarial duties and had become interested in another field of study calculated to fit him for a public career. Some time between 1788 and 1794 he studied law under Archibald Roane, an able lawyer, educated in Pennsylvania, and later governor of Tennessee.²⁸ Information concerning this part of White's intellectual preparations is lacking, other than that the results in the student's later law career indicate sound training and a reasonable measure of application. When Blount College was created in 1794 White was serving as deputy clerk of Knox County.²⁹ Thus, it appears, he had matured beyond the point which made logical any further study under the Reverend Carrick.

The knowledge and experience which the youthful White gain-

²⁶Carrick was successively president of Blount College and East Tennessee College, until his death in 1809. See "From Willie Blount's Writings," sheet 4, Tennessee Papers, Draper Collection, IV; Sanford, *Blount College and the University of Tennessee*, 15.

²⁷Knoxville Gazette, December 1, 1792.

²⁸Minutes of the County Court of Knox County, Book D, 1792-1795, under date of May 11, 1793 (Knox County Courthouse, Knoxville, Tennessee).

²⁹*Dictionary of American Biography*, XV, 640-641; Nancy Scott, *Memoir of Hugh Lawson White* (Philadelphia, 1856), 9.

ed through his service as secretary and as clerk were important additions to his educational preparation for his career as a public man. The association with the polished Blount undoubtedly exerted a powerful cultural influence upon the youth who had grown up altogether in the crude environment of the frontier. Furthermore, White gained here a knowledge of governmental affairs, as well as some acquaintance with prominent personalities all over the nation, which could later be turned to his advantage in many ways. One aspect of his work dealt with Indian relations in the West.³⁰ Here was good training for a future chairman of the Committee on Indian Affairs of the United States Senate. Very little evidence of his secretarial activities remains, for Blount's highly personal interest in western lands made it necessary for him, so the governor thought, not only to destroy the letters he received but even to ask his correspondents to destroy his letters to them.³¹ Yet, knowledge of the land schemes of Blount and his associates must certainly have given White an acquaintance with that vital land problem which would continue as a live issue during all his public career. Similarly, the clerkship of the Knox County court, which he held for about a year, gave him a first hand knowledge of the law, and legal problems, so that the move which he soon made into the practice of law and then onto the bench constituted an easy and natural transition.³²

Another type of experience, differing markedly from those so far considered, came near to providing the basis of a military reputation for Hugh Lawson White. In other words, White's knowledge of the Indian problem was not acquired through secretarial work only, but by experience as an actual Indian fighter as well. The opportunity and the necessity for such experience were presented in the series of Indian raids which occurred all along the western frontier during the early 1790's.³³ The Southwest Territory was particularly hard-hit by these raids, because of the desire of the federal government and of Governor Blount to keep the frontier quiet in order to facilitate the negotiation of land treaties with the Indians. The redskins took advantage of this conciliatory policy to prey upon white settlements while the latter were under orders not to retaliate. But the frontier leaders frequently found ways to comply with the letter of Blount's orders without complying with their spirit. As a result, the Governor became unpopular with the citizens of the territory, but

³⁰The office of territorial governor carried with it also the duties of Indian superintendent for the southern department. Carter (ed.), *Territorial Papers*, IV, 18-19.

³¹*American Historical Magazine*, IV, 258-259.

³²Minutes of the Knox County Court, Book Q, 1792-1795.

³³Theodore Roosevelt, *The Winning of the West*, 4 vols. (New York, 1889-1896), III, 277-331.

men like Colonel James White, of the militia, tried fairly successfully to please both Blount and the citizenry.³⁴

On occasions, the frontiersmen became exasperated with the policy of appeasement and organized, illegally or on questionable authority, expeditions against the Indians. James White, as an experienced officer, naturally took part in these,³⁵ and in at least one important instance, the younger White himself had an active and spectacular part in such an expedition. This came in 1793, shortly before he was twenty years old.

For several weeks during the summer of that year there was considerable fighting around Knoxville, when both Cherokees and Creeks bore down upon the town relentlessly. Colonel White took charge of the defense and was able to drive the attackers away only after they had destroyed Cavett's Station, eight miles east of Knoxville, and had committed other serious outrages.³⁶ In the resultant outburst of indignation, East Tennessee rallied in a large expedition designed to break the power of the redskins. Territorial Secretary Daniel Smith, in Blount's absence, authorized John Sevier to raise a force to invade the Indian country. Among the men, varying greatly in age and training, who volunteered under Sevier's command was Hugh Lawson White. The expedition pursued the Indians southwestwardly, past the village of Estimaula (not far from the site of

³⁴William R. Garrett and Albert V. Goodpasture, *History of Tennessee* (Nashville, 1900), 110-113; *American Historical Magazine*, II, 367, 368 and IV, 336. On one occasion, when Blount had issued a proclamation calling upon "a number of disorderly, ill-disposed persons" to desist from their intention of going to the Upper Cherokee towns to destroy them, White made the following reply from the scene of the assemblage, where he had been sent to deliver Blount's orders: "Sir: On the 28th instant, I returned agreeably to your order, to Gamble's Station . . . where I found a number of persons, from 80 to 100, collected, well armed and plentifully provided; . . . Upon Mr. McKee's arrival with your proclamation, I read it with a loud voice, to which great attention, and no insult was offered . . . They did not disperse within an hour, as the proclamation, required; but determined in the evening that they would, and on the morning of the 29th actually did and returned to their respective homes. It is a justice due to these people to inform your excellency that the greater part of them appeared to have assembled upon a mistaken zeal to serve their country, not foreseeing the consequences that would attend such conduct. (Signed) James White." Judging from what has been noted above regarding White's relations to both Blount and the people, it seems reasonable to suppose that it may have been the "loud voice," in reality, which achieved this result, rather than the proclamation. *Knoxville Gazette*, February 9, 1793; Carter (ed.), *Territorial Papers*, IV, 236.

³⁵Besides the interest he had, owing to his father's participation in the campaigns, other circumstances not infrequently drew Hugh's attention to them. One incident occurred in June, 1792, when a large party of Creeks attacked Zeigler's Station, a block-house fort in Sumner County near Cairo. Some thirty persons, including the family of Hugh White's aunt—a Mrs. Wilson—had taken refuge in the fort. Almost every one was either killed, wounded, or taken captive. Among the captives was Mrs. Wilson and all of her children except one. When Colonel White learned of the incident, he pursued the Indians and recovered the captives. *Tennessee Papers*, Draper Collection, VI, numbers 996 and 997; Scott, *Memoir*, 4; A. W. Putnam, *History of Middle Tennessee* (Nashville, 1859), 378.

³⁶Heiskell, *Andrew Jackson and Early Tennessee History*, I, 56, 70-74; *American Historical Magazine*, II, 86-90.

Chattanooga), and overtook them at the town of Etowah (where Rome, Georgia, now stands), on the Coosa River. At the latter point, a large Indian force had assembled, under one of the well-known chiefs, King Fisher. A fortunate mistake on the part of the guides led the whites across the river immediately into the town from the direction of their approach, instead of from the rear as the Indians had expected. The braves, in their confusion, made a haphazard and single-handed defense, a few of them trying daring, desperate sallies into the ranks of their attackers. According to some accounts, in one such sally King Fisher came within a few yards of Hugh White, who levelled his rifle and shot the chief. Presently the warriors abandoned the field and East Tennessee was virtually free from Indian atrocities thereafter.³⁷

If these accounts state accurately White's part in the Battle of Etowah, the incident might have been used as a nucleus for the development of a military reputation. Yet, if White thought he had killed the chief, he seems not to have made any effort to publicize the fact, nor to have allowed others to do so. Nor did he, so far as has been ascertained, ever engage again actively in armed combat.³⁸ Had he desired to follow in his father's footsteps and become a military man, the way must have been open. Since he did not do so, he missed one of the main avenues to political preferment.

Whatever the exact truth about the King Fisher incident, the real significance of all of these Indian affairs upon White's later career lies in the opinions and attitudes he formed and in the knowledge of Indians that he gained by close contact. These he would carry with him into state politics and law, and into the United States

³⁷The exact truth about the shooting of King Fisher may never be known. There does seem, however, to be more evidence in support of the version given above than to the contrary. In fact, almost all of the evidence would favor its acceptance. See John P. Brown, *Old Frontiers* (Kingsport, Tennessee, 1938), 393-395. Perhaps what has cast a shadow of doubt over White's supposed part in the Battle of Etowah was the historian Ramsey's account (*Annals of Tennessee*, 587-589), which states that King Fisher "made a daring sally within a few yards of where one of the party, Hugh L. White, was standing, and the action was becoming sharp and spirited, when White and a few comrades near him, levelling their rifles, this formidable champion fell, and his warriors immediately fled." Of this, Scott says (*Memoir*, II): "Judge White shot the King Fisher. Yet such was his instinctive horror at the idea of destroying human life that he could never endure to have the deed mentioned; and explicitly forbade Mr. Ramsey, the historian, to state the fact in his 'Annals.'" Miss Scott was a granddaughter of White and could have known the truth about this question. It would not have been entirely foreign to White's nature to have experienced such feelings in the matter, though it would seem a bit uncritical to take Miss Scott's story at face value. An account of the expedition is given in *American State Papers, Indian Affairs*, 2 vols. (Washington, 1832-1834), I, 621-623.

³⁸During the War of 1812 when his father was operating in conjunction with General Jackson against the Indians in Georgia and Alabama, Hugh White made a trip from Tennessee to the south with a view to giving some kind of assistance, but there is no evidence that he served as a soldier at any time. He did return to Tennessee and persuaded his brother-in-law, Colonel John Williams, to lead his 39th United States Infantry to relieve the Jackson forces at Horseshoe Bend. See James Parton, *Life of Andrew Jackson*, 3 vols. (New York, 1860), I, 431, 499-500.

Senate, where his influence on the Indian problem was often decisive and always significant.

After the Indian situation in East Tennessee had become calm as a result of the Battle of Etowah, there seems to have been a general desire on the part of members of the White family and friends that Hugh should continue his formal schooling in preparation for a career. Accordingly, he spent about eighteen months between the autumn of 1794 and the summer of 1796 in Philadelphia and Lancaster, Pennsylvania. The choice of the places probably was made under the influence of Archibald Roane and the Reverend Carrick. The expenses for this, perhaps the most significant single phase of his training, were advanced by White's brother-in-law, Charles McClung, since, as it seems, James White was not then in a position to give his son aid.³⁹

Just what the plan for White's course of study was when he left Knoxville is not apparent. He went first to Philadelphia where he studied mathematics under the well-known Professor Robert Patterson at the University of Pennsylvania.⁴⁰ Perhaps it was intended that he should return to the West, which was rapidly opening up to settlement, as a surveyor. If this guess is correct, no record has been found as evidence that he ever put the knowledge gained here into practice. However, his training in this field found some use, it may be supposed, in his career as a banker over a period of years.⁴¹

In 1795, for some reason not yet ascertained, he removed from Philadelphia to Lancaster, Pennsylvania. In this center of legal activities, soon to become the capital of the state, he took up the study of law in the office of James Hopkins, who is described as "an eminent counsel." His accomplishments afterwards seem to point to the conclusion that he worked diligently and spent the time profitably. By autumn of 1796, he was again in Knoxville ready to take up the practice of law.⁴²

B. Lawyer and Judge

Hugh Lawson White's mind was peculiarly adapted to the legal

³⁹James White, from all accounts, was a man of extreme liberality, and although he owned considerable property he could not always command ready cash. About the only information available on this period spent by White in Pennsylvania is in Scott, *Memoir*, 13-14. Other sources have apparently drawn on this for their statements.

⁴⁰See *Dictionary of American Biography*, XIV, 305-306, on Patterson. George E. Nitzsche, Alumni Recorder of the University of Pennsylvania, writes in a letter of May 3, 1943: "... we have no definite proof that Hugh Lawson White was ever a student at this University. It is quite possible, however, that he did attend as we have reason to believe that the names of many who were here for only a short time were never recorded."

⁴¹Scott, *Memoir*, 13-14; Gresham, "Hugh Lawson White as a Tennessee Politician and Banker," *loc. cit.*, 25-46.

⁴²*Ibid.*, 14.

and judicial professions.⁴³ Oratorical ability is ascribed to him by only a few contemporaries; in his day oratory reached its highest level of perfection in men much less phlegmatic than he. But in solid qualities of mind and in reasoning power, numerous sources bear witness to his superiority. His accomplishments toward the establishment of a sound and equitable system of justice in his home state constitute an achievement for which alone he would deserve to be remembered in Tennessee history.⁴⁴

It is hardly necessary to state that the frontier commonwealth, in the early 1800's, was in urgent need of just such talents as have been ascribed to Hugh Lawson White. Able lawyers with sound training were few in number; while material from which to man the courts was still scarcer.⁴⁵ Important cases were constantly arising—particularly with reference to land titles—which made the scarcity strikingly evident. In these conditions lay a challenge to the young men on the frontier to prepare for law careers in order to meet the growing need and to make for themselves places of influence and usefulness. Hugh White was in a favorable position to see the opportunities afforded by these circumstances and to prepare himself to take advantage of them.

His first attempt to put into practice his knowledge of the law, as gained by study under Archibald Roane and in Pennsylvania, came in 1796.⁴⁶ At that time, with the establishment of the new state of Tennessee, there was a considerable feeling on the part of those who had taken part in the various Indian expeditions under the Territory that the federal government should compensate those individuals who had helped to finance the campaigns. Now that Tennessee could send senators and representatives to Congress, it was hoped that they would be able to secure the passage of a bill granting an appropriation for this purpose. Accordingly, Hugh Lawson White petitioned the secretary of war for remuneration for his expenses in the Etowah expedition.⁴⁷ Secretary James McHenry, making a report on the petition, dodged the issue, saying that it was for the House of Representatives to decide whether or not the danger had been great enough to warrant Sevier's calling out and equipping the troops for

⁴³Joshua W. Caldwell, *Sketches of Bench and Bar in Tennessee* (Knoxville, 1899), 113-114.

⁴⁴*Ibid.*, 114; Henry Stuart Foote, *The Bench and Bar of the South and Southwest* (St. Louis, 1876), 117-118; Thomas Hart Benton, *Thirty Years' View*, 2 vols. (New York, 1854-1856), II, 184; S. C. Williams, "The Genesis of the Tennessee Supreme Court," *Tennessee Law Review*, VI (1928), 80-82.

⁴⁵*Tennessee Historical Magazine*, VII (1921-1922); 308.

⁴⁶Scott, *Memoir*, 10-11.

⁴⁷Ramsey, *Annals of Tennessee*, 586; *American State Papers, Claims* (Washington, 1834), 192; *ibid.*, *Indian Affairs*, I, 585-621.

the expedition.⁴⁸ When the question came before the House, Tennessee's representative, Andrew Jackson, was inspired to make his first congressional speech. He was supported, in his plea for the passage of an appropriation for compensation to White, by James Madison, who also spoke at length on the subject. As a result, the petition was referred to a special committee of five, of which Jackson was made chairman. In a short time a bill was reported and passed, which called not only for full payment to White but for the appropriation of a sum of \$22,816.00 to cover the entire expenses of all the troops in the expedition.⁴⁹ The incident gives evidence not only of Jackson's vigor and ability to act with spirit and determination, but also of a connection between him and White which presaged a long and mutually helpful friendship. For White, this initial success in his endeavors must certainly have been a definite encouragement, as he launched upon his career in the law.

Evidence regarding his specific activities during the five-year period from 1796 to the beginning of his judgeship, in 1801, is exceedingly fragmentary. Yet it can be deduced from the records which survive that he was by no means an obscure, but rather a highly successful, practitioner of his profession. The most convincing indication that this was true is the fact that after five years of practice and at the age of only twenty-eight he was chosen to the judgeship of the superior courts of law and equity, the highest judicial office in the state at that time. In addition, some of the legal cases on which he served as counsel and witness throw further light on this period of his career.

Perhaps the most spectacular of the cases in which he was engaged as attorney in this early period was that of William Cocke *versus* Richard Henderson's heirs. White was employed as a counsel for the defendants. Cocke, then United States senator from Tennessee, claimed compensation for losses suffered by him in connection with the clearing of a road into Kentucky from East Tennessee in 1775. He also asked pay for services rendered in a trip he made about the same time to the Kentucky River for Richard Henderson. Henderson had purchased from the Cherokee Indians a large tract of land on the Cumberland, Kentucky, and Tennessee rivers and was trying to encourage settlement within it.⁵⁰ When the Indian

⁴⁸ *Ibid.*; J. S. Bassett (ed.), *Correspondence of Andrew Jackson*, 7 vols. (Washington, 1926-1935), I, 24, 25, 27.

⁴⁹ *Annals of Congress*, 4 Cong., 2 Sess., pp. 1738, 1742, 1746, 2154; *American State Papers, Indian Affairs*, I, 363, 378, 384, 408, 441, 442, 451, 456, 465, 536, 556, and particularly 621.

⁵⁰ The Henderson side of the story is given in Archibald Henderson, *Conquest of the Old Southwest* (New York, 1920), 231. See also Caldwell, *Bench and Bar of Tennessee*, 24-25.

depredations of 1775 threatened the extermination of the Kentucky settlements, Henderson had called on Cocke, according to the latter,⁵¹ to go to the Kentucky River and prevail on Daniel Boone to stay until Henderson and a new party of settlers could arrive to help in the defense. Cocke consented to make the trip, so he said, upon promise of ten thousand acres of land and five thousand additional acres for his expenses in clearing the road mentioned above. The plaintiff affirmed that Henderson, before his death, had often repeated the promise to him and had told other associates in the land company that it was due him, but no land had ever been granted on the promise.⁵²

In his defense White endeavored to show that Cocke's complaint was against Richard Henderson, already deceased, and unnamed heirs, which legally meant "nobody." The second point brought out was that Henderson's organization had not been a true company but only "dealers" in land, not of sufficient authority to be sued. Finally, the land claimed did not lie within the state of Tennessee, and none of the parties subpoenaed as heirs and representatives lived within the state. Therefore, if a law suit was proper anywhere, it could not be so in Tennessee, at least. Apparently, these arguments were very effective, for the case was dismissed with little further consideration.⁵³

The records of the county, district, and state courts in this period prove beyond question that White was very active. During one year, 1800, he served as attorney on seventy-one cases in the Knox County court, while his services were about equally in demand in other courts.⁵⁴ From an examination of the cases, and the records which remain of the conduct of the trials, there is no indication that he was oratorical in his manner or that he was of the popular criminal lawyer type. His sincerity, earnestness, and apparent desire to see justice done made him, nevertheless, a popular lawyer. Where other men, like Felix Grundy, gained reputations by appealing to the readily-stimulated frontier emotions, White attracted a clientele as numerous, perhaps, as any of theirs by methods less spectacular.⁵⁵ In so doing, he paved his way to a position of honor

⁵¹Archibald Henderson says, in *Conquest of the Old Southwest*, 231, that Cocke made the first offer himself.

⁵²Washington County, Tennessee, Superior Court Minutes, 1791-1804, Book B, Copying Historical Records Project, Works Progress Administration, 1938, pp. 41-46 (Tennessee State Library).

⁵³*Ibid.*, 46-53. See also Henderson, *Conquest of the Old Southwest*, 231, 263.

⁵⁴Minutes of the Knox County Court, Book 2, 1799-1800; Minutes of the Court of Pleas and Quarter Sessions, Washington County, 1778-1798 and 1798-1799. Historical Records Survey Transcriptions (Tennessee State Library); Minutes of the Court of Pleas and Quarter Sessions, Jefferson County, 1792-1798, *ibid.*

⁵⁵Joseph H. Parks, *Felix Grundy, Champion of Democracy* (Baton Rouge, 1940), 91-102.

on the bench of the highest court before which he had appeared as a lawyer.

In another case which attracted wide attention in the West during the last years of the eighteenth century, White served in the capacity of an important witness rather than as counsel. This was the trial of Judge David Campbell, a man of culture and education and one of the first judges of the Tennessee superior courts. The judge was charged with neglect of official duties, including refusal to attend court in the Mero District at Nashville in 1798.⁵⁶ The general circumstances of the trial are not of interest here, but White's testimony before the general assembly does give some glimpses of his own activities during the period. He gave testimony that in the preceding May (1798), before he set out from Knoxville to attend the session of the superior court in Nashville, he had seen Campbell and been informed by him that the Judge did not intend to be in the Mero District during the setting of the court. He further testified that he had attended the court in Nashville on every day that it was in session except the last and that to his knowledge the defendant had not been there. Continuing, he stated that he was in attendance at the superior court session for Hamilton District in the spring of that year, where, as he remembers, Campbell, sitting on the bench as judge, addressed the grand jury in a manner derogatory to the good name of certain branches of the federal government.⁵⁷ Thus, it appears that White attended regularly the superior court sessions in all three districts of the state in that period and that he was busy enough to remain during almost every day of each session.⁵⁸

After his election to the judgeship, his law career did not come to an end but rather seems to have increased in extent and importance. Because of the growth in population, commerce, and wealth of the state, it was difficult to secure lawyers for the superior courts.⁵⁹ Consequently, it was frequently necessary for one or sometimes even two of the judges to be "employed as counsel" in the trial of cases, leaving only two, or often one, of the members of the court to render the decisions.⁶⁰ White's popularity as a lawyer while on the court,

⁵⁶Clyde Cass Carter. *The Administrations of Governor John Sevier* (unpublished M. A. thesis, Vanderbilt University, 1928), 137; *Tennessee House Journal*, 1799, pp. 61-62, 409-411.

⁵⁷*Ibid.*, 394.

⁵⁸The *Cocke vs. Henderson* case, in Washington District, was tried in the same year as the Campbell case. Washington County, Superior Court Minute Book B, 50, 53, 266, 305, 458, 453, etc.; Hamilton District, Superior Court Minute Book I, 1793-1808, pp. 87, 96, 107, 125, 139, 149, 153, 159, etc.; Mero District, Superior Court Minutes, 1788-1803, Part II, 505, 518, 527, 540, 545, 561, etc.

⁵⁹This situation became a popular grievance and was in a large measure responsible for the later reorganization of the court, as shall be seen hereafter.

⁶⁰Williams, "The Genesis of the Tennessee Supreme Court," *loc. cit.*, 80-85; articles by Thomas Hart Benton advocating a reorganization of the court system, in *Impartial Review and Cumberland Repository*, 1808-1809, especially May 12, 1808.

1801-1807, is apparent from a statistical study of the cases tried. Of some one hundred twenty important cases which came before the court during the period, he served as attorney in forty. This number is only slightly less than those for which he wrote opinions.⁶¹

After his resignation from the superior courts in 1807 he resumed the regular practice of law in the same system. Records of the courts for two or three years after 1807 do not show, however, that he gave much time to this pursuit.⁶²

While White was perhaps not so well adapted to this work as to other things which he did, his law career seems to have been quite typical of his whole public life. He was habitually sober, calm, and deliberate; occasionally he was stirred to deep emotion by a strong conviction of right or wrong in the conduct of a trial.⁶³ These same characteristics will be seen repeatedly in the further examination of his life's activities. Admittedly, he made a success of the law profession as a young man in Tennessee. As he grew older and became involved in other interests—the bench, politics, and banking—he frequently resumed the practice of law.⁶⁴ The bench, however, seems to have been a more natural medium for the employment of his talents. For this reason, in part at least, he has gone down in the history of the state as “Judge White.”

When Tennessee became a state its court system was modeled after that of North Carolina. While the region was a part of that state, the superior courts of North Carolina had been the only courts of appeal. During the territorial period the same system had been adopted and extended, there being a superior court with final jurisdiction in each of the districts of Washington, Mero, and Hamilton.⁶⁵ In other words, there was no supreme court, with jurisdiction through appeals over all lower courts. Neither did the constitutional convention which met in 1796 make any definite, mandatory provision for such a supreme court. The first constitution stated that

⁶¹William W. Cooke (comp.), *Tennessee Reports or Cases Argued and Adjudged in the Superior Courts of Law and Equity for the State of Tennessee*, 2 vols. (Louisville, 1902), I and II.

⁶²Washington County, Superior Court Minutes, 1803-08, 1809, do not contain his name, 1807-1809; Mero District, Superior Court Minutes also contain no reference to him in this period. His practice was apparently confined to the courts which met in Knoxville.

⁶³Bassett (ed.), *Correspondence of Andrew Jackson*, I, 24, 25. The sources on White's bearing and demeanor in his early law career are meager. The treatment given in the text is based on secondary accounts and on a knowledge of his character as revealed in his other activities in the period. No anecdotes or incidents of human interest pertaining to specific court scenes involving White have been found. See *Goodspeed . . . History of Tennessee* (Nashville, 1887), 386; Scott, *Memoir*, 243-244; Heiskell, *Andrew Jackson and Early Tennessee History*, I, 643-644.

⁶⁴Gresham, *The Public Career of Hugh Lawson White* (unpublished Ph. D. dissertation, Vanderbilt University, 1943), 62, 130-134.

⁶⁵Williams, “Genesis of the Tennessee Supreme Court,” *loc cit.*, 75-77, 79.

"The judicial power of the state shall be vested in such superior and inferior courts of law and equity, as the legislature shall, from time to time, direct and establish." Fortunately, this wording left the possibility of establishing a real supreme court, in the future. But the First General Assembly, meeting at Knoxville in April, 1796, passed, as its first piece of legislation, an act establishing "Superior Courts of Law and Equity."⁶⁶ The law prescribed three judges to man these courts and stipulated a salary of \$83.33⅓ for each term of the court attended by each judge.⁶⁷ The duties of the judges consisted of traveling about the state and sitting with the judges of the county courts. The decisions arrived at in these sessions were final.

The system went into effect in 1796 with Archibald Roane, John McNairy, and Willie Blount as judges.⁶⁸ But because of the travel necessary and the bad traveling conditions—as well as the rapid promotion of the judges to other jobs—there were frequent resignations. Hence, there was a tendency for the offices to be filled with inexperienced personnel, and agitation soon became widespread for a change in the system.⁶⁹

Hugh Lawson White became a superior court judge in 1801 through election by the Tennessee legislature, following the resignation of Judge Roane.⁷⁰ John Rhea, along with White, had been put in nomination for the place but had asked that his name be withdrawn. On the first ballot, therefore, White received a unanimous vote.⁷¹ This indicates a feeling of confidence in him on the part of political leaders from all sections of the state, although there seems also to have been some thorough planning for the election on the part of White's friends. A letter written by Andrew Jackson to Robert Hayes on September 9, 1801, would indicate that the issue

⁶⁶Edward Scott (comp.), *Laws of the State of Tennessee, including those of North Carolina, 1715 to 1820*, 2 vols. (Knoxville, 1821), I, 532-533.

⁶⁷A "term" was defined as fifteen "judicial days, unless the business shall be sooner ended." See *ibid.*, I, 546-547.

⁶⁸John Overton (comp.), *Tennessee Reports, or Cases Ruled and Adjudged in the Superior Courts of Law and Equity . . . for the State of Tennessee*, Second edition of Cooper's edition, 2 vols. (Louisville, 1902-1903), I, xx-xxii.

⁶⁹Willie Blount resigned in 1796 and was succeeded by W. C. C. Claiborne who, in turn, on being elected to Congress a year later, was succeeded by David Campbell, who remained with the courts despite attempts to impeach him until their abolition in 1809. McNairy was appointed federal district judge in 1797 and was followed by Howell Tatum. A year later Tatum was succeeded by Andrew Jackson, the latter resigning in 1804 to be followed by John Overton, who remained till the dissolution of the courts. Roane resigned when he was elected governor in 1801. He was succeeded by Hugh Lawson White, who resigned in 1807. White was followed in the same year by Thomas Emmerson and a few months later by Samuel Powell, who remained until the abolition of the courts. See *ibid.*, xxii-xxv; Williams, "Genesis of the Tennessee Supreme Court," *loc cit.*, 79-80.

⁷⁰Tennessee Senate Journal, 1801, ii.

⁷¹*Ibid.*, 31-33.

had been pretty nearly decided by that time. A part of this letter reads:

Mr. Hugh L. White who is really a lawyer has said upon the Terms that I would not leave the Judiciary that he would accept the appointment of Judge if elected. He is a young man of cleverness, really, the lawyer and I have not a doubt that he will be the choice of the legislature, and will fill Judge Roane's Seat with as much honor to himself and Benefit to the Public, as any Legal Character in our State To have this done is my greatest wish, and if my remaining on my present seat will be conductive to the object it is a duty I owe my country to do so. But upon the event that Mr. White is not elected—I will retire to my farm, and domesticate myself.⁷²

The courts, during the thirteen years of their existence, had an interesting history. The cases tried during the first five years were few in number, and thus the judges' duties were not arduous. By the time White became a member, however, the amount of litigation had begun to increase, so that the greater part of the fifteen-day term defined by the legislature was required to take care of the business at each county seat.⁷³

Only three judges—John Overton, Andrew Jackson, and David Campbell—served contemporaneously with White. Comparatively few of the opinions, as preserved in the records, were written by Jackson (1798-1804) or recorded as adjudged by him. Campbell was a member of the courts for a longer time than any other judge (1797-1809), but some of the vicissitudes of his stay in office have already been noted; he frequently was not even present when the courts met and usually when he did attend either Overton or White assumed the major responsibility for the accomplishment of the work.⁷⁴ John Overton (1804-1809), later a brother-in-law of White, served practically the same length of time as White and was, with the possible exception of the latter, the outstanding figure among the superior court judges.⁷⁵ Some historians have attributed to him first

⁷²Bassett (ed.), *Correspondence of Andrew Jackson*, I, 60. Cf. Carl S. Driver, *John Sevier, Pioneer of the Old Southwest* (Chapel Hill, 1932), 180.

⁷³Washington County, Superior Court Minute Book, 1800-1803, 1804-1808; Hamilton District, Superior Court Minute Book, No. 1, 1793-1808; Mero District, Superior Court Minutes, 1788-1803, Transcriptions (Tennessee State Library, Nashville).

⁷⁴John Trotwood Moore and Austin P. Foster, *Tennessee, The Volunteer State*, 4 vols. (Nashville, 1923), I, 309-310; *Tennessee Senate Journal*, 1803, pp. 36, 54. In 1803, apparently as part of the quarrel between Jackson and Sevier over the election of the former to the major generalship of the state militia, Campbell was a second time brought to trial, on charges of "high crimes and misdemeanors" (specifically for allegedly taking a bribe of fifty dollars from a litigant). The senate acquitted him of the charge by a vote of nine to three. James White, then speaker of the senate, voted against acquittal. Campbell's ability must not have been inferior, for his opinions appear easily the equal, in clarity of expression and sound reasoning, of those of the other men. But the humiliation to which he was subjected, perhaps unjustly, in the attempts to remove him very likely discouraged confidence and freedom of expression on his part in the court proceedings. See *ibid.*, 58-59; Caldwell, *Sketches of Bench and Bar in Tennessee*, 113-114.

⁷⁵*Ibid.*; Henry A. Wise, *Seven Decades of the Union* (Philadelphia, 1872), 100-101.

place among the Tennessee judges before John Haywood. Doubt may be expressed, however, that a careful statistical and analytical study of the records from the legal point of view would warrant this conclusion. Overton's opinions are usually longer and more involved than White's, and he cites authorities more frequently, but White's have the characteristics of directness, simplicity, and originality. There are few quotations and almost no references.⁷⁶

More cases tried by the superior courts dealt with land than with any other subject. Of some three hundred and ninety cases covering the entire period of the courts' activities, seventy-eight had to do with land titles directly, more than that number involved certain points of law such as *certiorari* and mortgage and debt questions for which land constituted the basis.⁷⁷ Among the most interesting observations to be made regarding the cases and the opinions is that White always stood firmly on the principle that possession is one of the strongest points in the law. He did not go so far as to advocate the rights of squatters in preference to title-holders where the latter could produce clear titles, but in case of doubtful or conflicting titles he always upheld the claims of the possessors of the disputed property. Also, while solicitous for having proper consideration given to each case, he always worked for reasonable speed in the conduct of the trials and against unnecessary delay on whatever pretext. The tradition of his punctuality in attendance at the session is borne out by the court records.⁷⁸

In 1807 White resigned from the superior courts upon his election to the Tennessee legislature as senator.⁷⁹ From the available evidence, it would seem proper to state further that he left the bench and obtained election to the new post in order to use his influence in

⁷⁶Overton (comp.), *Tennessee Reports*, I, cases numbers 20, 53, 56, and 61, for example.

⁷⁷*Ibid.*, I and II. The cases were examined individually, as well as by the aid of the tables of contents and indices which afforded considerable help in the matter of classification.

⁷⁸*Ibid.* Striking examples of expression by him of this conviction are cases numbers 21 (I, 100-104), 34 (I, 172-176), and 56 (I, 207-211).

An incident which illustrates White's extreme attentiveness to duty, and which occurred at the time he was supreme court judge, is related in Scott, *Memoir*, 32. According to the account, White attended a social function in Knoxville about 1812, to which the better citizens, young and old, were invited. When it was time to leave the place, he went to Luke Lea, cashier of the Bank of Tennessee of which White was president, and reminded him that he should go to the bank and remain as guard during the night. Lea was busy in a game of whist but promised to leave for the bank immediately. White went home but after the lapse of some time returned to the place where he had left Lea and found him still at the game. He walked solemnly over to the young man and asked for the key to the bank. Lea protested that he would go without a moment's delay and attempted to do so, but White was steadfast in his demand for the key. Having obtained it, the judge went to the bank and stayed during the night, teaching the younger Lea a lesson in line with his own habits of promptness, punctuality, and dependability.

⁷⁹Minutes of the Superior Court, Mero District, Pleas, 1805-1807, pp. 155, 292.

eradicating some of the defects in the state laws which hampered the proper functioning of the courts. At least, the legislation of the next sessions of the general assembly, and White's part in much of it, bear out this hypothesis.⁸⁰ The most important laws which were passed, 1807-1809, all had a vital bearing on the judiciary, and White was very active in their promotion. In turn, these laws were to give direction, in large measure, to White's later career as a jurist. Therefore, the changes made during that time in the judicial system require some attention.

The superior courts were still young in terms of years when it became apparent that certain changes in the state's judiciary were necessary. The economic development of Tennessee by the early 1800's accentuated the previously-noted shortcomings and impressed many citizens with the need of a change. It was felt that the entire system should be headed by a court of review, the judges of which should have time to deliberate on the questionable decisions made in the circuit and lower courts. The judges should be chosen for permanency as nearly as possible and should be possessed of sufficient learning to formulate correctly a workable body of precedent laws for the state.⁸¹

Interestingly enough, one of the most able and effective advocates of judicial reform was Thomas Hart Benton, a young lawyer and state legislator then living near Nashville. Benton wrote a series of articles for the *Impartial Review* during 1808 and 1809 in which he outlined the changes he desired to see effected. He urged:

In the first place I would have one Supreme Court to be alternately at Nashville and Knoxville, and to be perpetually in session if business required it. This court should have no original jurisdiction. Its powers should be limited to the supervision and correction of the proceedings of the circuit courts, and the court itself should be held by one chief justice whose salary should be such as to command the best talents that the State affords.⁸²

Benton's plan evoked the interest of a great many lawyers and other public-minded men in the state, with the result that his efforts soon bore fruit.

As a matter of fact, it would rather appear that Benton's articles

⁸⁰Gresham, "Hugh Lawson White as a Tennessee Politician and Banker," *loc. cit.*, 29-30. As early as the time of White's resignation from the judgeship there was a general demand for court reform. See numbers of *Impartial Review and Cumberland Advertiser*, August and September, 1807. No change in the judicial system was made by the 1807 legislature, except that the number of judges was increased to four, three of whom were required to attend every sitting of the court. See Enrolled Acts of Tennessee, 1807 (Tennessee State Archives, Nashville); Weymouth T. Jordan, *The Public Career of George Washington Campbell* (unpublished doctoral dissertation, Vanderbilt University, 1937), 127. A more significant change was made, directly under the guiding hand of White, in the land laws, which had been the source formerly of so much litigation in the superior courts.

⁸¹Williams, "Genesis of the Tennessee Supreme Court," *loc. cit.*, 82, 85.

⁸²*Impartial Review*, May 12, 1808.

were in the nature of "Federalist Papers" to prepare the public for acceptance of a plan which had already been worked out by Benton and White. When the legislature met in 1809, White was not a member, though his influence was obvious.⁸³ Benton, however, became chairman of a committee "to take into consideration what alterations or amendments are necessary in the Judiciary System of the State." Consequently, on November 16, 1809, a bill was passed incorporating some, but not all, of Benton's ideas.⁸⁴ The differences may perhaps in some measure be accounted for by White's influence. Although Benton took credit for the bill as passed, he admitted much later that he had received aid and advice from Judge White in drafting it.⁸⁵

The act provided for the establishment of five circuit courts, each with jurisdiction over a group of counties and each presided over by a circuit judge who would sit with the county judges. In addition, it created a "Supreme Court of Errors and Appeals," to be composed of two judges elected by the legislature. As first constituted, the court was to sit at the seats of the five circuit courts (Jonesborough, Knoxville, Carthage, Nashville, and Clarksville) and hold sessions in collaboration with the circuit judges, both reviewing the circuit court opinions and hearing appeals from the lower courts. It was to have final jurisdiction on all questions and was to commence operations on January 1, 1810.⁸⁶

The first two judges elected were Hugh L. White and George Washington Campbell.⁸⁷ The latter had established a reputation as a lawyer in Knoxville, though most of his public life had been spent outside of the state, as a congressman from Tennessee. Benton, according to his own account, was largely responsible for White's

⁸³The reasons for White's failure to return to the legislature in 1809 are not altogether clear. It may be that he expected the court reorganization bill to go through early in the Eighth General Assembly, as it did do, and that he would be called upon to become a supreme judge. Therefore, he did not become a candidate for reelection to the senate. Another factor which should not be overlooked here was his appointment by President Jefferson, in March, 1808, as federal district attorney for East Tennessee—a position which he promptly resigned, however. Messages of the President . . . March 18, 1808 and March 21, 1808, Records of the U. S. Senate, 10 Cong., 1 Sess. (The National Archives, Washington, D. C.). Benton gave later what was of course a partial explanation when he wrote (*Thirty Years' View*, II, 184) that White "had returned to the bar." See Gresham, "Hugh Lawson White as a Tennessee Politician and Banker," *loc. cit.*, 30.

⁸⁴Tennessee *Senate Journal*, 1809, pp. 9, 167; Scott, *Laws*, I, 1148-1156.

⁸⁵Benton, *Thirty Years' View*, II, 184-186.

⁸⁶Obviously, Benton failed in his purpose of establishing a chief-judgship—probably an evidence of White's influence in drawing up the bill. Tennessee *Senate Journal*, 1809, p. 186; *Public Acts*, 1809, pp. 65-74; Jordan, Public Career of George Washington Campbell, 127-129; Wilson's *Knoxville Gazette*, November 4, 1809. The salary paid to each of the judges was fifteen hundred dollars *per annum*. Scott, *Laws*, I, 1156; vouchers in Governor Willie Blount Papers (Tennessee State Library, Nashville).

⁸⁷A chart showing the court set up under the 1809 act is given in Jordan, Public Career of George Washington Campbell, 282-283.

election. He writes of the Judge and of his selection as follows:

Bred a lawyer and coming early to the bar, he was noted for a probity, modesty, and gravity—with a learning, assiduity, and patience—which marked him for the judicial bench; and he was soon placed upon it—when the judiciary of the State was remodelled, he was placed on the bench of the Supreme Court. It was considered a favor to the public to get him to take the place. That is well known to the writer of this *View*, then a member of the General Assembly of Tennessee and the author of the new modelled judiciary. He applied to Judge White who at that time had returned to the bar, to know if he would take the place; and considered the new system accredited to the public on receiving the answer he would. That is all he had to do with getting the appointment. He was elected unanimously by the General Assembly, with whom the appointment rested. That is about the way in which he received all his appointments, either from his state or from the federal government—merely agreeing to take the office if it was offered to him.⁸⁸

Judge Campbell remained on the court for only a few months, and his work while there can hardly be considered as significant. For the first six months of 1810 there were no revision or appeal cases to be reviewed. On June 1 the court first sat with the third district court, at Carthage. After a short term there, they traveled on to sessions in the other four districts. During this time White was very decidedly the dominant figure in all the deliberations and in the writing of the opinions. He acted as president of the court, though no chief justice had been provided for in the Judiciary Act of 1809. On the whole, Campbell seems to have been completely eclipsed by his more experienced colleague.⁸⁹

John Overton, experienced as a superior courts judge, was elected to fill Campbell's place, and he continued with the court until after White's resignation. During the period from 1811 to 1815, the work, and the abilities shown in the accomplishment of it, were more evenly distributed between the judges. Of slightly more than one hundred cases tried, the court opinions in thirty-seven were delivered by White. In thirty-three they were delivered by Overton, while in the remaining ones, mostly minor cases, no indication is given in the records as to the authors.⁹⁰

Of the total number, twenty-seven cases pertained directly to

⁸⁸*Thirty Years' View*, IX, 184. These remarks by Benton are doubly interesting in view of the fact that, for years before they were written the author had opposed White and the Judge's sympathizers bitterly, in support of Jackson. *Ibid.*, II, 184. Benton received his license to practice law from White.

⁸⁹Original Decisions of the Supreme Court of Errors and Appeals, 1810-1812, Section A, Bins 1 and 2 (Tennessee State Archives, Nashville).

⁹⁰*Ibid.*, 1811-1814; Cooke (comp.), *Tennessee Reports*, I, Appendix I, 497-500. It will be noted that the number of cases tried was not excessive, even in comparison with that of the earlier superior courts. In 1811 the system was changed considerably by the passage of a new judiciary law which rescinded that part of the act of 1809 requiring the attendance of a circuit judge in the supreme court. The new law also provided that when two judges of the court differed, the judgment of the circuit court was to be sustained. See *Goodspeed . . . History of Tennessee*, 371.

titles and deeds to land. Thirty-two were general appeals, while fifteen were chancery "causes" and fourteen, cases of errors. Twelve pertained to debts, two concerned equity, and one involved the theft of a steer hide. The problem of the land laws, then, continued to figure significantly in the business of the higher courts of Tennessee, notwithstanding the fact that by 1815 the state could boast of a fairly efficient judicial system.⁹¹

Judge White spent eleven years in serious labor and, on the whole, unselfish service directed specifically toward the development of this system. For his work he gained a reputation which lasted as long as Tennesseans remembered him personally, but because historians have largely lost sight of his achievements, this contribution to a very important phase in the advancement of the state has not been duly recognized since the Civil War.

On December 31, 1814, White tendered his resignation as judge, to become effective the following April. The reason he gave was inability to perform the duties required, because of ill health and excessive private business activities. Since 1811 he had served as president of the State Bank at Knoxville, and, with the increased business which the War of 1812 had generated, he found the duties of the two jobs too arduous for his delicate constitution, already attacked by tuberculosis.⁹²

This ended his career as judge;⁹³ but he continued law practice at intervals throughout his life. Even while United States senator he was employed when Congress was not in session as a special legal agent for the state of Tennessee.⁹⁴ All in all, his legal interests were perhaps the greatest source of satisfaction which he found in the various activities of his public life.

⁹¹Cooke (comp.), *Tennessee Reports*, I, Appendix I, 497-500.

⁹²*Tennessee Senate Journal*, 1815, p. 16. In a letter of December 24, 1814, to Governor Willie Blount, White hinted that the election of Joseph McMinn to succeed Blount had some influence toward his resignation. White to Blount, December 24, 1814, Governor Willie Blount Papers (Tennessee State Library, Nashville).

⁹³Later, in 1822 and again 1824, he was offered the same position on the Tennessee supreme court, but declined to accept it. See *Nashville Whig and Tennessee Advertiser*, August 21, 1822; *Tennessee Senate Journal*, 1815, 2 Sess., 191; *Knoxville Enquirer*, November 10, 1824. He was also considered seriously for a place on the United States Supreme Court at different times, but always declined when offered the appointment. Caldwell, *Bench and Bar of Tennessee*, 124; Charles Warren, *The Supreme Court in United States History*, Revised edition, 2 vols. (Boston, 1935), I, 73, 703-4; James A. Hamilton, *Reminiscences of James A. Hamilton* (New York, 1869), 100; Clay to Crittenden, January 27, 1829, John J. Crittenden Papers, IV (Manuscripts Division, Library of Congress).

White's work as commissioner under the Spanish Treaty of 1819 was, of course, of a judicial nature. See Gresham, "The Public Career of Hugh Lawson White," *Tennessee Historical Quarterly*, III (1944), 296-299.

⁹⁴Cherokee Files (Tennessee State Archives, Nashville); *Tennessee Private Acts*, 1826, extra session, 122, 123; Gresham, *The Public Career of Hugh Lawson White*, 132.

FIFTY YEARS OF FREEMASONRY, 1823 - 1873;
RHEA LODGE No. 47, JONESBORO, TENNESSEE

By PAUL M. FINK

The Masonic order, because it is a secret society whose members alone know intimately its ceremonies and proceedings, has been generally overlooked as an important factor in the improvement of cultural and moral conditions in those communities in which its lodges are situated. It is my purpose in recounting the history of Rhea Lodge to show that from time to time it has exerted a strong influence in various ways toward the betterment of the town of Jonesboro.

Just when and where Masonry originated is not clear, but it is certain that in some form it antedates the Christian era. It came down through the Middle Ages as a secret society of architects and builders. Cut into the stones of many medieval cathedrals and castles may be found the same signs and symbols used by the Craft today. In England in 1717 Masonry assumed its present form, and since then has spread over most of the civilized world. Because it has always stood for freedom of thought, of speech, and of worship, as well as for those ideals and practices which we refer to as "human rights," Masonry at many times and in many countries has been forced temporarily to go underground; but just as the Christian religion has survived persecution for similar beliefs, so Masonry has always come into the open again at the earliest possible opportunity, to continue its teaching and practice of "Brotherly Love, Relief and Truth."

Not many years after 1717 lodges were chartered in the several American colonies. Membership became very popular, in particular among those men who later became leaders in the American Revolution. Among them are found Benjamin Franklin, a former grand master of Pennsylvania; Dr. Joseph Warren, who was grand master of Massachusetts when killed at Bunker Hill; and Paul Revere, who later filled the same position. The Boston Tea Party was planned in a Masonic lodge. A large percentage of the signers of the Declaration of Independence were Masons. George Washington became a Mason at 21 and continued active in the fraternity until his death. He served as master of the lodge at Alexandria, Virginia while he was president of the United States.

With Masonry so popular in all the colonies, there can be no doubt that many of the early settlers west of the mountains in the present state of Tennessee were members. Yet organized lodges were not established there as early as one might suppose. The earliest positive information we have is provided by two small advertisements in the *Knoxville Gazette* of August 25, 1792. One reads:

MASONIC

Territory of the United States South of Ohio, Jefferson County, July 30, 1792. Notice is hereby given to all whom it may concern that a general meeting of *Freemasons* will be held at my house on Little Pigeon, where a number of gentlemen have concluded to meet and their coming in good order and behaving agreeable, will oblige theirs, etc.

T. Arthur.¹

Inasmuch as there was no formal lodge yet in existence in this region, this may have been a meeting looking toward the formation of one. Apparently the meeting was unsuccessful, for no further information regarding it has come to light.

The other ad was more definite and revealing and serves as the basis for an interesting conjecture:

MASONIC

Members of Lodge No. 20, Western District, are requested to meet at the North Fork on Monday the 24th of September next, as business of importance will then be laid before the Lodge.

By Order of the Worshipful Master.

G. Christian, Secy.²

The name of the secretary, Gilbert Christian, is evidence that the meeting place was at the North Fork of the Holston River, just below the present Kingsport. This location was known at the time as Christiansville, in honor of Gilbert Christian, a leader in affairs on the frontier, an Indian fighter, and a staunch friend and follower of John Sevier in the troubled days of the state of Franklin.

The origin of this lodge has long been a mystery. It could not have emanated from either Virginia, Georgia, North or South Carolina, for No. 20 under each of those jurisdictions was located far distant. Finally scattered bits of information which threw some light on the problem have been found.

It was the custom in British Masonry during the eighteenth century to form what were known as military lodges, attached to some particular unit in the army. The location of such a lodge changed from time to time as the troops were moved. To a limited degree this custom was followed in the American colonies, several such warrants being issued by the Grand Lodge of Pennsylvania. One of these, No. 20, in the latter part of 1779, was issued to North Carolina troops, who for some time had been stationed in New Jer-

¹Knoxville (Tenn.) *Gazette*, August 25, 1792.

²*Ibid.*

sey and Pennsylvania with Washington's armies. In 1780, when they were sent back South to the defense of Charleston, the lodge accompanied them.

It made no returns to the Grand Lodge for some time, not surprising in view of the chaotic state of affairs. In consequence, the supposition arose that the charter, records, paraphernalia, etc. were lost or captured by the British, and after the war the charter was vacated. The advertisement quoted is concrete evidence that the lodge had *not* ceased its labors, but that it had been carried west of the mountains, probably by patriots fleeing before the British invasion, and was still active. Two men, one of them John Sevier, Jr., listed themselves as members of North Fork Lodge No. 20 at the creation of Greeneville Lodge No. 43, North Carolina (later No. 3, Tennessee) in 1801, and John Anderson of Sullivan County later visited Whiteside Lodge No. 13 of Blountville as a member from No. 20. John Rhea, of whom we will say more later, is supposed to have received his degrees there, as probably did John Sevier.

Possibly another more famous man was among its members. Though many men have delved into the problem, it has been impossible to learn where and when Andrew Jackson was made a Mason. It is a matter of record that in 1800 he was a member of Harmony Lodge No. 1 of Nashville. After he had become the military hero of the nation following the Battle of New Orleans, had served as grand master of Tennessee in 1823 and had been elected president of the United States in 1828, that lodge which had had the honor of making him a Mason would have loudly and proudly claimed the fact, had it still been in operation. Total silence on the subject from all quarters leads to the conclusion that the lodge conferring the degrees had passed out of existence in the meantime.

Jackson came to Jonesboro, some thirty miles from North Fork, in 1788, when just past his majority, and while he removed to Nashville after some months, during the six years following he made twenty-five trips back in performance of his duties as public prosecutor. In view of these circumstances, one may reasonably conjecture that during his residence in Jonesboro or upon one or more of his periodic visits he applied for and received the Masonic degrees in this Lodge No. 20 at North Fork.³

Tennessee was under the jurisdiction of the Grand Lodge of North Carolina until 1813, by which time the number of lodges in the state had become large enough to justify the formation of a Grand Lodge of its own. It is known that a number of citizens of

³Data on North Fork Lodge No. 20 largely compiled from J. Hugo Tatche, *Freemasonry in the Thirteen Colonies* (New York, 1929), 169, 215, *et. seq.*; Julius F. Sachse, *Old Masonic Lodges of Pennsylvania* (2 vols., Philadelphia, 1913), II, 37, 39.

Jonesboro, the oldest town in the state, were Masons, but for some unknown reason they did not set about organizing a lodge until 1823, by which time more than forty others had preceeded them.

Masonic lodges are formed in a manner prescribed by long usage. A group of Masons living in a community in which there is no lodge may petition the grand master, asking that one be authorized and setting forth their reasons. Should he think it justified and that a need exists for a lodge, he will issue a "Dispensation," naming the three stationed officers *pro tem*, and empowering the new lodge to transact business. Then, provided the embryonic body is showing proper interest and due proficiency in the ritualistic work, at some subsequent meeting of the Grand Lodge a permanent charter is issued and the new lodge is fully launched on its career.

Following this time-honored usage, a dispensation was granted on February 22, 1823, upon the petition of John Blair, Jacob Howard, Thos. D. Green, John Kennedy, and W. D. Jones. In this dispensation John Kennedy was named worshipful master, John Blair, senior warden, and Jacob Howard, junior warden.

So successfully did the new lodge enter upon its labors that on October 8, 1823, the minutes of the Grand Lodge recorded that: "Your Committees have examined the By-laws and Returns of the following Lodges working under dispensation - Rhea Lodge No. 47; New Providence No. 48 and Jackson No. 45, which they approve and reccommend that Charters issue to said Lodges."⁴

By 1822 Andrew Jackson was a figure of national prominence and the idol of all Tennesseans. Though almost continuously absent from the state for ten years and consequently not able to attend its lodges, his earlier interest in Masonry was unabated. That year he appeared for the first time in the Grand Lodge, petitioned for membership and was elected. Later in the same session he was nominated and elected grand master from the floor, itself an unusual proceeding. He held the office for two consecutive years.

During Jackson's term of office he issued a charter to Rising Star Lodge No. 44 at Rutledge, under dispensation granted by a previous grand master, and both dispensations and charters to Jackson No. 45 at Jackson, Vale of Temple No. 46 at Pikeville, Rhea No. 47 at Jonesboro and New Providence No. 48 at Maryville. Nos. 46 and 48 became dormant and surrendered their charters during the anti-Masonic disturbances of the 1830's, but Nos. 44, 45 and 47 have retained their original charters until the present.

⁴All references to the transactions of Rhea Lodge No. 47 and of the Grand Lodge of Tennessee are to the manuscript minutes, correspondence and other records of the Rhea Lodge, in the possession of the lodge, and from the *Proceedings of the Grand Lodge of the State of Tennessee*, I (Nashville, 1873).

Both the dispensation and charter of Rhea Lodge bear the signature of Grand Master Jackson in his characteristic bold handwriting. Until recently it was thought this honor might be shared with Jackson No. 45, until investigation revealed that their charter was signed, not by Jackson himself, but by the deputy grand master.⁵ Only the charter of Rising Star Lodge No. 44 was signed by Jackson. So, while one other lodge in Tennessee does possess a charter signed by Jackson, Rhea Lodge is left in undisputed possession of the most unique honor of being the only Masonic lodge in America or the world whose dispensation and charter both bear the autograph of a man who later was to become the President of the United States. For some unexplained reason the number on both documents is 46 instead of the correct 47. The error persisted for a year or two before the correct designation prevailed.

In its name Rhea Lodge honored an East Tennessean of prominence, a man who had held high positions in political and military circles as well as in Masonry. John Rhea was born in Ireland but as a youth came to America with his father, a Presbyterian minister. Living first in Pennsylvania and Maryland, he moved to the frontier and settled near Blountville in 1778. He took part in the Battle of King's Mountain in 1780, and ten years later, as major of militia, joined St. Clair's campaign against the Miami Indians north of the Ohio River.

A lawyer by profession, he made politics and public office his major career. Starting as clerk of the Sullivan County court under the state of Franklin, he represented the same county in the North Carolina assembly. He was a member of the Tennessee constitutional assembly of 1796 and of the first session of the general assembly of the new state. In 1803 he was elected one of Tennessee's representatives in Congress, where he remained, with the exception of one term, until 1823. He had a very prominent place in the deliberations of that body, and his correspondence shows him on intimate terms with such national figures as Thomas Jefferson, James Madison, and Andrew Jackson.

Rhea's Masonic record was equally distinguished. He is thought to have received his degrees in North Fork Lodge No. 20; if not there, in Lodge No. 3 of Philadelphia, but neither can be verified. In 1800 he became a charter member of Tennessee Lodge U.D. in

⁵Letter to the author from J. E. Barber, Secretary, Jackson Lodge No. 45, January 21, 1946. Only one other president of the United States has served as a Masonic grand master, Harry S. Truman having occupied that chair in the Grand Lodge of Missouri. However, no dispensations or charters for new lodges were issued during his term of office. Letter to the author from Harold L. Reader, Grand Secretary of Missouri, January 12, 1946.

THE MOST WORSHIPFUL AND RIGHT WORSHIPFUL AND LOVING BRETHREN,
WE, THE MOST WORSHIPFUL *Wm. Jackson* ESQ. GRAND MASTER, OF THE MOST
ANCIENT AND HONORABLE SOCIETY OF FREE AND ACCEPTED MASONS

[illegible]

Library

W.R.D. V.D. B.K.F.P.

Charter of Rhea Lodge No. 47, signed by Andrew Jackson, Grand Master of Tennessee.



DESIGN OF THE
NATIONAL

TO BE ERECTED IN THE

City of Washington, D.C.
Height, 555 feet, height of 1793-1800

WASHINGTON
MONUMENT

CITY OF WASHINGTON

T. Taylor

General Secretary

Received of Rhea Lodge No. 47

the sum of \$10.00 for the proposed

Lithographed receipt for contributions made by Rhea Lodge No. 47 to the proposed Washington Memorial.

Knoxville and the next year assisted in organizing Greeneville Lodge No. 43, becoming its first junior warden. A few years later a movement was inaugurated to create a supervisory Grand Lodge of America. He was chosen to represent the Grand Lodges of North Carolina and Tennessee at the Grand Convention called in Washington to consider forming such a body. In 1815 he took a prominent part in the organization of Whiteside Lodge No. 13 at Blountville and served as its first master. In 1821 he was named deputy grand master of Tennessee, and it may be that while serving in that capacity he brought about the creation of the lodge that was to bear his name.⁶

This was not the first time that the name of Rhea was given to a Masonic lodge. The Grand Lodge of North Carolina issued a dispensation for Rhea Lodge U.D. at Port Royal, Montgomery County, Tennessee. For some reason the name did not continue in favor, and when the charter was granted the next year it was to Western Lodge.

Three of Rhea Lodge's first stationed officers were men of more than ordinary calibre. John Blair, senior warden under dispensation, a merchant of the town, was a member of one of the distinguished families of the section. In 1823 he succeeded John Rhea in Congress, holding his seat for sixteen years. While there he was a close associate of Henry Clay, James K. Polk, John Bell, Samuel Houston, and other political giants of the time. His Masonic service was long and honorable, culminating in appointment as deputy grand master in 1841.

Jacob Howard, junior warden under dispensation and first master under charter, came to Jonesboro from Baltimore and in 1818 established Jonesboro's second newspaper, the *East Tennessee Patriot*. A few years later he was editing and publishing *The Farmer's Journal*, but in the meantime two more widely-known publications had come from his presses, for it was in his shop that were printed Elihu Embree's famous periodicals, *The Manumission Intelligencer* and *The Emancipator*, the first journals in the world dedicated solely to the abolition of human slavery.⁷

David Nelson, first chartered senior warden, had a varied career. Born in Washington County, he was educated as a physician and before attaining his majority served as surgeon with Kentucky troops going to invade Canada in the War of 1812. In the same war he accompanied Tennessee militia under Generals Jackson and Cof-

⁶Biographical data on John Rhea largely from Marguerite B. Hamer, "John Rhea of Tennessee," in *East Tennessee Historical Society's Publications*, No. 4 (1932), 35-44, and C. A. Snodgrass, *Free Masonry in Tennessee* (Chattanooga, 1943), 431.

⁷Data on Jacob Howard largely from the records of Rhea Lodge No. 47 and from contemporary newspapers.

fee to Mobile, returning to build a large practice in Jonesboro. An atheist in early manhood, he became converted and at the age of 33 gave up medicine and entered the ministry. For a while he edited a religious periodical, was instrumental in founding Marion College in Missouri, and later became head of a college in Quincy, Illinois, training young men for the ministry. His celebrated book, *The Causes and Cure of Infidelity*, attracted universal attention and was long and widely read. He and E. E. Hoss, bishop of the Southern Methodist Church, who himself was initiated into Masonry in Rhea Lodge in 1872, have been called the two greatest preachers native to Washington County.⁸

Other than those named in the dispensation, no list remains of the charter members, nor is there any accurate clue to their number. The returns to the Grand Lodge in 1825, two years later, show the initiation of four candidates, the passing of three and the raising of one, with three withdrawals, and a total of thirty-four members at the end of the year. Three years later the membership had dropped to twenty-five. This may be accounted for by the fact that in the meantime the formation of a new lodge in Elizabethton drew away some of Rhea's members in that town. The national anti-Masonic disturbances may also have had some effect.

Just where the lodge held its meetings at the very first we may never know positively. Warrants paid in the first year are for such small items as "repairing the house" and "laying two hearths." A series of other warrants and records up to 1829 are confusing at first glance. One bearing date of April, 1826, shows that \$9.00 was paid to Mary Brown, "that being the balance of her account against Rhea Lodge for house rent." Two years later the treasurer was ordered to "Pay \$15.00 on account of rent due the Branch Bank of the State of Tennessee." An undated but seemingly contemporaneous note in the lodge archives is a proposal by Samuel Jackson: "I will take twenty dollars for the year for my house provided the money is paid immediately. There is one dollar and fifty cents due me for the first half year."

This evidence would seem to indicate that the lodge had changed its quarters every year or so, but a search of the Deed Books of Washington County has set things straight. Mrs. Mary Brown owned several pieces of property in town, one of which was part of lot No. 17 of the original plan. When she unwisely became surety for two men, her property was sold by the sheriff to satisfy the debt. It was bought in by the Bank of Tennessee. Later it was acquired by

⁸Data on David Nelson largely from the manuscript Blair family record, formerly (1935) in possession of Miss M. C. Blair.

Samuel Jackson; so all the time the lodge had been occupying the same quarters, but paying rent to different owners.

This part of lot No. 17 was directly across Main Street from the present lodge building, and in one of the transfers is described in part as being that property "on which is the frame white house part of which James Jones is now occupying as a store."⁹ As this had been in the possession of Mrs. Brown for some time prior to the formation of the lodge, the writer leans strongly to the theory that this was the original home of the lodge. There is no evidence as to how long it continued here, but it was some fifteen years after the last date mentioned (1828) before there is a record of meeting at another place.

The lodge room in those early days was illuminated by candles, the standard source of light everywhere. At one time it was "ordered by the Lodge that eighty seven and one half cents be paid Phillis for dipping candles, which you will please pay Brother Willet. He owes 31¼ cents to be deducted from that sum." From the use of the given name alone it is deduced that Phillis was a negro slave of Brother Willett, who received compensation for her services. Down almost to the Civil War period the records have many entries of the purchase of candles, or of the raw materials and payment for the making. The time of meeting was not set by the clock, but was "at early candle lighting," an hour that varied with the season. The date of the stated meeting changed from time to time, from monthly to weekly meetings. Frequently, when only once a month, it was not on the first Monday or the third Friday, but on "Monday on or before the full moon." There was no street lighting in those days, and such an arrangement would allow the brethren the benefit of bright moonlight as they came and went.

Naturally the first expenditures of the lodge were for its essential paraphernalia. Warrant No. 1, dated June 21, 1823, was for "a set of silver jewels, 1 square, 1 level, 1 square and compasses, 2 triangles and plumbs, 1 pair keys and one pair pens." No. 2, October 2, 1823, to O. B. Ross, prominent local merchant, was for \$5.75, in payment for "one large Bible for the use of the Masonic Society." A few months later James Brown was given \$10.31¼ for materials and making "one cushion for Bible."

Until a very few years ago this first Bible was still in constant use on the altar of the lodge. Not only does the date of publication, 1815, point to the idea that it was the first, but identification is made certain by entries on the page so often found in family Bibles for recording births and deaths. Here we find the names and birth

⁹Deed Book 19, page 297, Records of Washington County, Tennessee.

dates, often in their own handwriting, of scores of early members, including some named in the dispensation and charter.

I personally lean to the belief that the square and compass displayed on the altar today are the ones first bought. True, one account says that at the close of the Civil War, the lodge possessed no jewels, and in 1866 a set of silver-plated jewels was bought in New York. But these are solid, not plated ware, and the workmanship is older in type than that of the Civil War period. William Boyce, to whom payment was made for these first jewels, was a silversmith of Jonesboro, and it is more than probable that they were the product of his own craftsmanship.

The basic principles of Masonry, charity, relief and the inculcation of a belief in a Supreme Being, were early demonstrated. Immediately after buying its essential paraphernalia, jewels and a Bible, the lodge issued warrant No. 3 for \$12.00, "Paid D. Nelson for the support of foreign missions." This, be it remembered, was at a date when the foreign missionary movement was not receiving the popular support it did later.

Among the early candidates who petitioned for and received the degrees of Masonry from Rhea Lodge was another man of more than local prominence, Thomas Emmerson. A Virginian by birth, he early removed to Knoxville where he built up a lucrative practice and was chosen the first mayor of the city. For a few years he served as clerk of the supreme court of the state, and later became one of the justices of the supreme court of the state, and later became one of the justices of that august body. Resigning that office, he came to Jonesboro and bought a large farm near the town and devoted most of his attention to agriculture. In partnership with Seth J. W. Lucky, another prominent lawyer, and Lawson Gifford, an experienced printer, he published two newspapers in Jonesboro, the *Washington Republican and Farm Journal* and later the *Tennessee Farmer*.¹⁰

From the very beginning Rhea Lodge gave due attention to the conduct of the individual members, both in their dealings with one another and in their deportment in public. Now-a-days Masonic trials for improper conduct are infrequent, but for the first half century of the lodge's existence it was not uncommon to have more than one member under charges at the same time, for offences ranging all the way from the use of profane language to jumping a board bill. It was an era of hard drinking, and public drunkenness among all classes was a commonplace, yet one of the early secretaries was placed

¹⁰Mary U. Rothrock (ed.), *The French Broad-Holston Country: A History of Knox County* (Knoxville, 1946), 413-415.

on trial for that offense, as were many others over the years. If duly contrite and promising better conduct, the offender might be let off with a reprimand. Repeated offenses brought suspension and occasionally expulsion. The specific misdemeanors of one expelled brother are not mentioned in the minutes, but must have been so especially heinous that it was thought advisable that the world be informed that he was no longer a Mason. The entry in the minutes reads "that he be and he is hereby expelled from all the rights and benefits of Masonry, and that his expulsion be published in the Knoxville Whig." That the order of publication was carried into effect is evident from a later entry: "The account of W. G. Brownlow for advertising X is ordered to be paid, say \$2.00."

When disagreements and misunderstandings arose among the brethren steps were taken to reconcile them. Sometimes the disgruntled parties were requested to meet in open lodge and thresh matters out. At other times committees were appointed to try to effect a reconciliation. And to their credit be it said that in most cases the desired end was accomplished and harmony restored.

Just as Rhea Lodge was getting firmly established, with increasing interest and expanding activities, a dark cloud arose and spread over Masonic skies, threatening to put the new lodge out of existence, just as it did hundreds of other lodges. This was no local matter, but the wave of anti-Masonic feeling that spread over the United States in the years following the so-called Morgan affair of 1826.

In that year William Morgan, an itinerant bricklayer living at the time in Batavia, N. Y., announced his plan to publish an exposé of the Masonic ritual. Opposition was bitter and hot-headed members of the Order did not scruple to threaten him. In September, 1826, he was arrested and jailed on charge of larceny and also for debt. Released, he departed in a coach and thereafter was never seen again.¹¹

Just what happened to Morgan is still a mystery, variously explained. Enemies of Masonry asserted that he had been abducted and drowned in Niagara River to prevent him from completing his publication. Another story was that a substantial cash payment caused Morgan to change his name, leave the country, and never return. The governor of New York, De Witt Clinton, himself a past grand master, offered a reward of two thousand dollars for information leading to Morgan's return or the conviction of those responsible for his disappearance. Even this sum, a fortune for the day, elicited no

¹¹John C. Palmer, *The Morgan Affair and Anti-Masonry* (Washington, 1924), *passim*.

information. To this day, no one knows with certainty Morgan's fate.

Fanned by lurid newspaper accounts, largely instigated by Thurlow Weed, a bitter enemy of Masonry who was to gain much fame as journalist and politician, anti-Masonic sentiment spread over the country like a conflagration. Churches took it up and ministers preached bitter sermons condemning the fraternity. An anti-Masonic party was formed by some astute politicians who saw in it a chance to further their own fortunes, a party that under the leadership of such men as William H. Seward, Millard Fillmore, and Thaddeus Stevens grew to such proportions that in 1832 it offered a candidate for the presidency. That marked the high tide of the agitation, and in a few years it passed into oblivion.

Masons are proud of the fact that Jackson, successful aspirant for the presidency at the height of the hostile movement, did not recede an inch from his long and prominent connection with the Order, and even in the heat of that campaign, repeatedly and publicly affirmed his belief in and allegiance to Masonry.¹²

Under the pressure of public sentiment, individuals by the thousands withdrew from membership, and lodges everywhere surrendered their charters. Every lodge in Vermont either surrendered its charter or became dormant, and the Grand Lodge ceased to function. In New York the number of subordinate lodges shrank from 227 to 41. Other states suffered in varying degrees.

Though the center of anti-Masonry was in New York and the eastern states, Tennessee felt the influence strongly, particularly in the eastern part. Membership dwindled under the impact of public disfavor and lodges ceased their meetings. In 1836 the Grand Lodge reported that 22 subordinate lodges had made no annual returns for several years.

The minute books for that period have been lost and few other records can be found, but it is beyond question that Rhea Lodge suffered severely, for in 1838 the Grand Lodge recommended that it, with 18 others, surrender their charters. Most of them did so, but some of Rhea's members were staunch enough to keep the lodge intact and retain its credentials. The appointment of one of its members, John Blair, as deputy grand master in 1841 no doubt hastened the revival of interest. Fragmentary records show that applications for membership were being received that year and in steadily increasing numbers in the years following.

A letter from the Grand Secretary in 1843 tells how much the Grand Master was gratified by the progress of the lodge. At the

¹²*Ibid.*

meeting of the Grand Lodge in October, 1845, by resolution all the proceedings and work of Rhea Lodge were ratified, and it was specifically and fully restored to all rights. The same resolution especially complimented John Blair, deputy grand master, for his efforts in reviving this and another lodge. At this meeting of the Grand Lodge Daniel Kenney was appointed deputy grand master, the second time within four years that this honor, second highest in the state, had come to a member of Rhea Lodge. The following year another member, John Ryland, was elected grand junior warden.

During the period of its dormancy Rhea Lodge seems to have lost its former place of meeting. On resumption its quarters were over the business house of R. L. Blair & Bro., on Main Street, the site of the present Broyles Cash Store.

The Masons of years ago found great delight in public appearances, something frowned upon now save on rare occasions. A custom, hallowed by long usage, was to have the corner stones of public buildings laid by the Masonic order, with appropriate ceremonies. This was even observed at the building of the national capitol, when on September 18, 1793, George Washington presided, as acting grand master of Maryland. So when in 1845 a new and larger courthouse was planned for Washington County, to replace one burnt a few years before, Rhea Lodge eagerly accepted the opportunity to appear in public in such a favorable light, especially so soon after its recent inactivity. The minutes of that summer are full of the elaborate plans for the occasion, including purchase for \$6.00 of a suitable stone, erection of a temporary scaffold, and arrangements for music. At last the great day came, and

This being the day set for the laying of the cornerstone of the Courthouse, the Lodge went into preparation to do the same. The procession moved from the Lodge to the building under which the stone was to be laid. After an excellent address from Bro. T. K. Catlett and the usual ceremonies attending such operations the stone was laid. The procession then formed and moved back to the room occupied by the Lodge.¹³

In a recess cut in the cornerstone were deposited four silver coins, a small Bible, a sealed glass bottle containing the roster of members of the lodge, and a copper plate upon which was engraved "Rhea Lodge No. 47, chartered (A. L. 5823) A. D. 1823, Andrew Jackson, Grand Master of the State of Tennessee, Jonesborough, Sept. 24, 1845." Sixty-seven years later, when this structure was torn down to be replaced by the present building, those articles were found intact and little damaged. They were carefully preserved and

¹³Minutes of Rhea Lodge, September 24, 1845. Daniel Kenney, who the following month was to be appointed deputy grand master of Tennessee, was worshipful master of Rhea Lodge that year, and presided on this occasion.

redeposited when the cornerstone of this building was laid on August 15, 1912, also by Rhea Lodge. J. M. Fink, the father of the writer, was worshipful master and presided.

The completion of the commodious courthouse building in 1847 made available better quarters than the lodge had been occupying, and the members were not long in taking advantage of it. They moved into the large room on the second floor, also used as the county court room. They paid an annual rental of \$50.00, but very specifically were held liable for any damage they might do to the property.¹⁴ This location they retained into the Civil War period, though all records are silent as to just when they relinquished it. At one time, however, when rail transportation was being introduced in East Tennessee, they were in danger of being dispossessed.

Work began about 1850 on the construction of the East Tennessee & Virginia Railroad, a project close to the hearts of many Washington countians, for here the idea of the railway was conceived and by the energy of its people pushed to completion. The general and engineering offices of the railway were to be in Jonesboro, but until their own building was completed there was little office space available in the town. The county was itself a heavy stockholder in the railroad, as were many of its citizens; so eyes were turned toward the county's own building to house the engineering staff. Although the county court had entered into a year's rental contract with Rhea Lodge only a month before, it was now

Ordered by the Court that the Board of Directors of the E. T. & V. Ry. and the Chief Engineer of the same be permitted to occupy the room in the Courthouse now occupied by the Masonic fraternity, on condition that the Masons vacate the same.¹⁵

The records of both court and lodge are silent as to just what arrangements were worked out, but evidently they were satisfactory for all parties, probably embracing joint occupancy or at least only the temporary displacement of the lodge. The willingness of the lodge to cooperate may have worked to its advantage in the matter of rent, for two months later it was

Ordered by the Court that the Freemasons of Rhea Lodge No. 47 be allowed to occupy the room in the Courthouse they have usually occupied, commencing the first of January 1851 for a year at a time, on the following terms: they agree with the Court that they will take care of the County Court Room and the room which they occupy and will be responsible for all damage that may happen to the same by reason of their neglect and that they will furnish firewood ready cut up in the Country Court Room, for the use of the County Court.¹⁶

¹⁴Minutes of Washington County Court, July 1, 1850.

¹⁵*Ibid.*, August 5, 1850.

¹⁶*Ibid.*, October 7, 1850.

Several years later the lodge minutes show that the rental was "taking care of the Clock on the Courthouse and also the keep the Lodge Room in good order." In carrying out this agreement Brother William Fleming was paid \$12.50 to take care of the clock.

The lodge, not entirely content with these arrangements, kept an eye open for an opportunity to own its own home. At one time a lot was bought on Water (now Woodrow) Street,¹⁷ but this was sold without building. On various other occasions committees were named to negotiate for other properties, one being on Main Street opposite the courthouse, but no purchase was made.

It has always been required that an interval of a month shall elapse between the conferring of successive degrees on a candidate. Thus ancient usage is rigidly adhered to and any subordinate lodge which transgresses, accidentally or otherwise, is certain to receive censure from the Grand Lodge, if not more severe punishment. Formerly the grand master had the power to grant a dispensation waiving the rule, but only in extreme circumstances was this done, not once in a decade. Yet for some reason, of which there is not the slightest hint in the record, such a dispensation was granted Rhea Lodge in 1851, not only for one but for two candidates, who bore the same surname and presumably were brothers.

By virtue of this dispensation, William A. and James Smith received the First Degree September 3, 1851. Three days later the Second and Third Degrees were conferred on James; on October 2, the same was done for William. Research has not revealed to which of the numerous Smith families these men belonged, or whether they might have been only temporary residents of the town. At any rate, nothing has come to light to indicate that they were of sufficient importance to justify this extraordinary consideration. They were evidently not men of any considerable means, for less than two years afterwards a committee was named "to examine into the situation of Bro. William A. Smith and should he need assistance in any way, that the above named brethren contribute to his relief and draw on the Treasurer for same."

Due to his eminence and his long, active, and enthusiastic connection with the Order, George Washington has been regarded as almost the patron saint of American Masonry, and many have been the honors paid to his memory. In 1824 a movement was initiated among the several Grand Lodges of the country to raise funds "for the erection of a suitable monument over the grave of our deceased Brother George Washington at Mt. Vernon." In the records of Rhea Lodge is the appeal from the Grand Lodge of Tennessee, recom-

²²Deed Book 45, page 78, Records of Washington County, Tennessee.

mending "to each and every Mason in Tennessee to subscribe a small sum proportionate to his ability, for an object so laudable and important." Proper response was made to the appeal, but nothing is known of the end result.

Nearly thirty years later, when funds were being raised by popular subscription for the erection of a great monument to his memory in the city of Washington, the Grand Lodge again requested the assistance of the subordinate bodies. Again Rhea Lodge complied with the request, and made a public ceremony of it, on the centennial anniversary of Washington's initiation. The minutes for November 4, 1852 report that

a celebration was held of Washington's initiation into Masonry. A procession was formed and moved up Main Street, crossing to Back Street, down Back Street and back to Main Street and the Courthouse, where Bro. A. N. Harris delivered an address. A collection amounting to \$10.00 was taken and sent to the Grand Treasurer at Nashville. A further sum of \$10.00 was ordered sent to the Treasurer of the Washington Monument at Washington, D. C.

Proudly displayed on the walls of the lodge room, where they have hung for almost a century, are the large steel-engraved receipts sent for these contributions. One bears the full length portrait of Washington; the other shows the monument as at first planned. This was not the simple chaste obelisk so familiar to all of us. The central shaft appears rising from a circular, colonnaded building a hundred feet high, surrounded by a series of massive columns, and with a great equestrian statue over the portal.

Currently Rhea Lodge is contributing for the third time to a memorial for Washington, the George Washington Masonic National Memorial Building now being completed in Alexandria, Virginia.

Prior to the Civil War and for a few years thereafter there was no public school system as we now know it. But there was a steadily increasing demand for educational facilities, and Masonry over the country, in keeping with its age-old tradition of fostering learning and the arts and sciences, set about doing something to fill the need. The state records show scores of charters granted to Masonic high schools, seminaries, and academies, usually under the auspices of some local lodge. The Grand Lodge in 1848 established the Masonic College of Tennessee at Clarksville. All in all, institutions sponsored and supported by Masons were an important factor in the educational system of the state.

Rhea Lodge was not one to let slip such an opportunity for public service. In the fall of 1852 it took under its management Martin Academy, a boy's school of long standing, and for five years the institution continued under its sponsorship and support. The

lodge had little income save the small dues paid in by its membership. These hardly more than sufficed for its current expenses; so a committee was immediately appointed to "examine the propriety of selling Cholarships or what means as should be adopted to promote the best interest of Martin Academy in raising money to build up a school."

It is not clear what methods of raising money were employed, but at one time, when the lodge decided to underwrite the education of the orphan son of a deceased member, it was agreed that "the members of the Lodge pay his board out of their private money or that they board him week about, and in the event they fail to board him or contribute their private means to do so, that it be paid out of the funds of the Lodge." Lodge funds were frequently used for operating expenses of the school, and the treasurer's record bears entries of payments for equipment, teachers' salaries, and various other expenses. Yet it was never intended to be a free school in general. Its terms of tuition and other pertinent information were given to the public in a newspaper advertisement:

MASONIC MALE SCHOOL — MARTIN ACADEMY

Second session of this Institution will be under the direction of Rhea Lodge No. 47 and will continue on Monday the 19th of September, under the superintendency of Mr. Henry L. Davies, principal and Mr. D. B. Barkley, asst. In the school will be taught thoroughly every branch of learning necessary to impart to the pupil a complete education for the active duties of life.

Terms per session of five months payable one half in advance and the other at the end of the session. Primary Dept. \$5.00, Intermediate \$7.50 and Highest \$10.00, plus \$1.00 Contingent for each.

Pupils may enter at any time and will be charged from the time of entering to the end of the session without any deduction, except in case of protracted illness or special contract.

Boarding may be obtained in genteel families convenient to the Academy on reasonable terms. Some ten or twelve young men who wish to board themselves can be furnished with rooms at the Academy.

By Order of the Board of Trustees

John A. Wilds, Secy. & Treas.¹⁸

While the board of trustees was charged with the actual operation of the school, the lodge did not simply turn it over to them and then forget all about the matter. There is abundant evidence in the minutes that they were keeping a close eye on both students and school. When some miscreant damaged the building and broke the windows, they tracked him down and ordered his prosecution. The members were notified of and urged to attend the examination of the pupils. In 1853 the Masons and their families enjoyed a dinner, to which all the student body was invited.

¹⁸*Railroad Journal & Family Visitor* (Jonesboro, Tenn.), January 7, 1854.

During the same period the Odd Fellows also were devoting much attention to education, and Jonesboro Lodge No. 40 was sponsoring the Odd Fellows Female High School, on the site of the present Jonesboro High School. If any rivalry existed between the two Orders it was of the kindest nature, and the best of relations prevailed, so much so that at one time, when the finances of the Odd Fellows were low, Rhea Lodge loaned them \$150.00. On another occasion, St. John's Day, they participated in a joint public appearance. This day, June 24, is one on which all Masonic lodges are required to meet. It is frequently chosen for more than an ordinary meeting, as was this occasion, as recorded in the minutes:

April 22, 1856. Motion made and seconded that Rhea Lodge have a procession on June 24th and that the teachers and pupils of Martin's Academy join in the procession, also that the neighboring Lodges be invited to attend, which motion carried. Motion made and seconded that the Odd Fellows be invited to join us, and that the teachers and pupils of the Odd Fellows Female High School be invited to unite with us in the procession, which motion carried. Bros. Brown and Hartman a Committee to contract with the Brass Band to play at the procession.¹⁹

June 24th, 1856. The Lodge was opened on the First Degree of Masonry. A procession was formed and marched to the Crockett House. Bro. Barr, of Abingdon, Va., fell in and marched to the Grove. The Odd Fellows joined in said procession, the Masonic brethren in front, the pupils of Martin Academy next and the Odd Fellows in the rear, where Bro. Barr delivered a most excellent Masonic address. After delivery of the address the officers-elect were publicly installed. After installation a procession was formed and marched to the Crockett House, the Brass Band playing some excellent tunes. The procession then marched to the Lodge Room. After a few minutes social conversation the Lodge was closed.

The grove where these outdoor ceremonies were held was on the grounds of the Odd Fellows High School, a spot used for public meetings of all kinds, political, patriotic, religious, etc., for many years, even past the beginning of this century.

In the fall of 1856 the management of Martin Academy was returned to the citizens of Jonesboro, who had previously had this responsibility, but the interest of the lodge in educational matters did not wane. Many contributions were made to that end, including one to the lodge at Greeneville to aid its Female Academy.

Old ways were now giving place to new. Oil lamps were pushing the time-honored candle illumination into the background, and

¹⁹It was not uncommon for the lodge to employ a brass band to play at their public appearances. One such occasion, however, is a little strange to our modern ideas: "The Lodge then formed a procession headed by the brass band and marched to the late residence of Bro. Richard Smith, from thence conveyed his remains to the graveyard, where he was buried with the honors of Masonry."

"Ordered by the Lodge that Bros. Hartman and McClure be a Committee to return the thanks of the Lodge to the brass band for its services." Minutes of Rhea Lodge, June 22, 1857.

Rhea Lodge must keep up with the procession. After thorough discussion and investigation it was reported in the fall of 1860 that "suitable lamps would cost \$2.00 in the market and that oil would cost about 80¢ per gallon delivered." Thereupon two lamps were bought so that the brethren might have better light.

East Tennessee, an island of Federal sympathizers in the midst of the Confederacy, was in a most unhappy position during the Civil War. The old saying of "brother against brother" was a deadly reality here. The rule of the land was Confederate until the fall of 1863, and the Northern adherents sang small, if indeed they opened their mouths publicly at all. Yet Rhea Lodge kept harmony within its walls during all the difficult period, and all political differences were forgotten there.

In fact, only a very few entries in the minutes give the least idea that a war was in progress. At one time a hundred dollars, a large sum considering the financial resources of the lodge, was appropriated "for the relief of the poor and needy in this town and vicinity," but without the slightest reference to the cause of the distress. There were resolutions of sympathy following the death of Brother James D. Conley, killed in the Battle of Fishing Creek, but not a single word to tell on which side he fought. Twice contributions were sent to hospitals in Virginia, once for the purchase of Bibles for convalescent inmates. From the location these were presumably southern hospitals, but nothing is said to that effect.

During most of the war years meetings were held with reasonable regularity, and petitions for membership were presented in even greater numbers than ordinarily, even though the depreciation in the value of money brought an increase in initiation fees and dues. At a single meeting in 1862 eleven petitions were received and two degrees conferred.

Fees were not the only things feeling the impact of high prices. Oil for the prized lamps first went to \$2.00 per gallon and then off the market entirely, and candles came back into the list of supplies bought. Just before the end of the war six candles cost \$12.00.

Those last few months before Appomattox and the more difficult ones after, when the victorious Union soldiers returned and vented their spite on the former Confederate adherents, and carpet-baggers came flocking from the North to feast on the spoils of war, were times when the minds of the members of Rhea Lodge were too engrossed with more weighty matters to give much thought to Masonry. No meetings were held between April, 1865 and February, 1866. The lodge must have lost the use of its old quarters in the courthouse, for that building was used during the latter years of

the war as a hospital.²⁰ Where they met in the interim we do not know, but when meetings were resumed in February, 1866, it was for a short time in the property owned by Samuel Gugenheim. By June of the same year they were back again in the courthouse. The impoverished condition of the county in those post-war days is plainly reflected in the rental arrangements made:

The Committee appointed to confer with the County Court reported that they had made an arrangement to get the use of the old Lodge Room in the Courthouse. The Lodge is to keep the clock in good running order. Ordered that the same Committee proceed to furnish materials and to have the room repaired and fitted up, the expense of repairing to be paid by the County as per agreement (as soon as they get the funds.)

It was not long until the lodge changed quarters again, this time to the two-story brick building on the railway, at the intersection of Fox and Water (now Woodrow) Streets.²¹ Here they remained for thirty years, buying the property in 1875,²² the first time they had owned their own home. The lower floor of the building was rented as a warehouse (it was long locally known as the "Salt House") while the lodge occupied the upper floor. At one time the lodge granted use of its rooms to its old friends, the Odd Fellows.

At the time of acquisition this hall was but half a block from the railway station, and close to the center of activity of the town. When the station burned and a new one was erected a number of blocks farther west, the neighborhood began to deterioriate and became less suitable for lodge purposes. In 1902 Rhea Lodge moved to rented quarters over the First National Bank, on Cherokee Street, with the idea that this location should be only temporary, until they could again own a suitable building. Three years later the opportunity presented itself, when a partly completed mercantile building on Main Street was to be sold to settle an estate. Selling their old property on Fox Street, they bought and completed the Masonic building they now occupy, which, by peculiar coincidence, is just across Main Street, directly opposite the site of their first home. This new edifice was dedicated with appropriate ceremonies on June 14, 1905.

Regardless of the post-war turmoil and the financial depression gripping the community, when the lodge resumed its sessions it was with great vigor. All old members were invited to return, and all delinquent dues to March, 1866, were remitted. Many responded to the call, and new petitions for membership began to roll in, until by the end of the year there were 55 active names on the roll, and

²⁰*Daily Telegraph* (Jonesboro, Tenn.), February 13, 1864.

²¹*Union Flag* (Jonesboro, Tenn.), January 13, 1871.

²²Deed Book 45, page 78, Records of Washington County, Tennessee.

55 degrees had been conferred during the year.

St. John's Day in this year of revival gave the first good chance in years for one of the beloved public appearances, and right well did the lodge take advantage of it. The day chanced to fall on Monday, when either circuit or chancery court was to be in session. The town was crowded in consequence. The lodge asked that the court be temporarily adjourned, so that those lawyers and others in attendance who were Masons might participate, a request which was granted by the court. Invitations were sent to all neighboring lodges, and these responded in goodly numbers. According to the minutes, June 25, 1866:

Indeed almost every member of the Lodge including Fellowcrafts and Entered Apprentices and a large number of visiting brethren being present . . . a procession was then formed by the Marshal, Bro. M. L. Myer, and marched to the Grove near the Female College, where an able address was delivered by our worthy brother L. F. Drake, after which the officers elected for the ensuing year were duly installed by him into their respective offices. The procession was then formed and marched to the room in the Courthouse.

The speaker of the occasion, L. F. Drake, was the minister of the Methodist Church, a newcomer from Ohio. Later minutes praised highly the address he made that day, and the lodge voted \$50.00 to him for his services.

One of the earliest known pictures of Jonesboro is of this assemblage, taken from almost opposite the courthouse. The marshal sits on horseback, wearing a high silk hat and a white sash, the other brethren in ranks on foot, their aprons and other regalia plainly showing the character of the gathering. In front is the omnipresent brass band, without which no public appearance was complete.

Like many another town of the region, the community of Jonesboro was literally torn to bits by the bitterness resulting from the war. In the courts the defeated rebels and their symphizers could barely receive justice. Social life was sharply divided, and the churches were so torn by internal dissension as to bring about acrimonious lawsuits, one of which was carried to the supreme court of the state. In two cases the congregations, despairing of any possible reconciliation, divided and set up separate organizations.

Yet in the very midst of this hotbed of dissension and ill-feeling, and in accordance with the ancient Masonic tradition that no personal differences of political or religious views should be suffered to mar the harmony of a lodge, no evidence of the slightest discord or discrimination can be found in the records of Rhea Lodge. Among the many candidates petitioning for admission were men who had served on both sides during the war, and who were bitter political and personal rivals, but all this enmity must have been forgotten in-

side the doors of the lodge, for there was no greater percentage of rejections than had ordinarily been the custom. Masonry was doing its part in bringing a little peace to a torn community.

Education was still a vital need in post-war Jonesboro. Prof. J. C. Foye, in charge of the Jonesboro Female College then operating under the auspices of the Methodist Church, proposed to "admit indigent children who are under the care of the Masons into this institution at one half the advertised price," an offer quickly taken advantage of for several children. During 1866 Rhea Lodge paid to this and other schools the tuition of not less than ten children, and of many others in the years following.

But the task of educating "over a hundred children and orphans of worthy brothers" was more than Rhea Lodge could accomplish single handed, so the lodge resorted to a custom long in use and observed up until recent years, that of sending out to other lodges a general appeal for assistance. In 1869, under the chairmanship of Max L. Myer, a committee mailed over four thousand printed appeals to lodges all over the United States and to some in Canada, asking for contributions to establish a "Fund for Educational Purposes."

Some hundreds of dollars came in immediately, but before any large number of answers were received a new public school law came into effect, and the labors of the Educational Committee ceased. The funds that had been collected were used in furthering the education of needy children, for, though the creation of a public school solved part of the problem, there were many deserving children in the town whose parents lacked means for books and proper clothing for school. On many occasions the lodge authorized appropriations to assist these children to take advantage of the opportunity of receiving an education.

So ends the story of the first half century of the labors of Rhea Lodge No. 47. In the years thereafter the need for so much active public participation in the affairs of the town diminished, and the lodge became, as Masonry now is, an unseen but still a potent force working not merely for the betterment of its members, but also for the public welfare. Withal, the lodge has behind it a record of fellowship, charity, and community service of which its members may justly be proud.

MONTVALE SPRINGS UNDER THE PROPRIETORSHIP OF STERLING LANIER, 1857-1863

By NATHALIA WRIGHT

In its one hundred and one years of life Montvale Springs in the mountains of East Tennessee was owned by half a dozen men, had more than twice that many managers, housed its guests in three successive hotels, and served five generations of seekers after health and society. Its life, indeed, was typical of the life of innumerable small watering-places in the southern Appalachians, which were in turn modelled after the larger and more celebrated Saratoga, White Sulphur, and Hot Springs. All were part of a widespread tradition which, having been imported from England and the continent about the time of the Revolution, had by the age of the motor car largely disappeared.

If Montvale was like many other springs of the nineteenth century, the proprietorship of its third owner was typical of its own and other histories. In some respects this chapter is even more memorable than the rest. For this man was not only of some stature himself, but he presided over Montvale at a critical period in national history. Here, as everywhere, it was the end of one era and the beginning of another.

Sterling Lanier first came to Tennessee from Georgia in October, 1856 to join his brother Sampson in operating a hotel in Knoxville.¹ The following December or January Sterling became, with his son-in-law, Abram P. Watt, joint proprietor of nearby Montvale Springs. On February 20, 1860, Watt and Lanier, together with the latter's sons Sidney and William, incorporated their business as "The Montvale Springs Company," and on September 29 of the same year purchased the springs property, eleven tracts consisting of some 4443 1/2 acres, for \$25,673.²

From then until the fall of 1863 Lanier and his wife lived at Montvale, and with them lived one or another of his partners. The number varied, as the sons and Watt spent part of the year in Montgomery managing the firm's Exchange Hotel there. It had been

¹They leased the Coleman House, renaming it the Lamar House. The Lanier House, which Sampson operated in 1858, had formerly been the Bell House.

²Blount County Register of Deeds Office, Record AA, p. 508. For the deed of sale see p. 505, where the firm name appears as "Watt, Lanier, and Company." About the time he purchased it Lanier laid off part of his property in quarter-acre lots, allowed houses to be erected on them, and furnished the occupants with wood for \$5 per season. I am indebted to Miss Pollyanna Creekmore for this information, which comes from the Papers of Col. O. P. Temple at the University of Tennessee.

Lanier's intention, in fact, to make the East Tennessee resort his permanent residence, but the Civil War changed his plans. What they had been he divulged in a letter to his sister:

Indeed we have been truly blessed, so far as money is concerned for the last six years, which enabled us to purchase this place which cost in the purchase \$25,000. and since then have laid out some \$15,000. to improve the place, and our hotel in Montgomery cost about \$40,000. besides Negroes and other Property; but I know I am not as thankful as I should be to a kind providence.

Montvale is one of the prettiest places I have ever seen, and am improving it all the time having two landscape gardeners at a cost of some \$700. a year. I purchased this place for the purpose of being more private than when in a hotel and to farm it so that I could enjoy the pleasant Mountain atmosphere, and if this state had seceded and gone with the cotton states I should have enjoyed the balance of my days here, but as Tennessee has not seceded I should be pleased to leave the state, and return to the Southern Republic, but fear if Virginia does not secede the border states will remain as they are and to their great injury.³

Lanier's fears for the border states were confirmed; although Tennessee seceded, its eastern counties remained loyal and became the scene of a bitter and lingering guerilla war. So on March 23, 1863, the Laniers and Watt sold Montvale to Joseph L. King of Knoxville for \$40,000. Two years later King sued the firm on the ground that as secessionists the members were not legal landowners, but he did not prosecute the case.⁴ Meanwhile, Lanier, his sons, and son-in-law had moved to Alabama, according to the plan mentioned in a letter to his sister:

I went to Montgomery, some months ago and bought a plantation paying \$50.00 an acre. Rich land and on my return to Montvale, sold this place for \$40,000. and next fall will remove to Alabama.

I am getting too old to attend to business, almost of any kind, and having been successful in business, desire to retire, as much as possible from the care of labor etc., provided Abe Lincoln will suffer me to keep my Negroes, & land, and money.⁵

Lanier's brief stay in East Tennessee was typical of a certain pre-war tradition of southern hotel keepers there, and even of a general interchange of economy.⁶ Business firms of Georgia and Alabama advertised in the Knoxville papers and the press of these states

³Sterling Lanier to Jane Lanier Ogburn, March 3, 1861, from Montvale Springs. This letter and that of April 3, 1863, from Lanier to Mrs. Ogburn are quoted, with permission, from copies owned by Mrs. Carey Ogburn Jones of High Point, N. C. The originals appear to be lost.

⁴Blount County Clerk and Master's Office, Record No. 1, pp. 176, 184, 203, 351.

⁵Sterling Lanier to Jane Lanier Ogburn, April 3, 1863, *loc. cit.* In the fall of 1864 he moved to Montgomery, where he died on January 31, 1870, at the age of 77. He was buried in Macon.

⁶See the Knoxville *Whig* (hereafter cited *Whig*), May 21, 1853, January 9, 1864; J. T. Trowbridge, *The South* (Hartford, 1866), 238.

carried Montvale's announcements. In 1856 John Mitchel observed that most of the guests at Montvale were Georgians; the proprietor that year, preceding Lanier, was H. P. Redding, a fellow hotelman from Macon. The East Tennessee and Georgia Railroad, opened in 1855, greatly facilitated this interstate relationship.

Montvale's fame had been largely established by a Mississippian, Asa Watson. The Springs, situated twenty-five miles southeast of Knoxville at the foot of Chilhowee Mountain in Blount County, had been discovered in 1829⁷ and opened to the public in 1832 by Daniel Foute, who acquired the land from the state the preceding summer. It was Foute who constructed across Chilhowee Mountain the road which led past Montvale and intersected the Callaway and Parsons turnpike along the Little Tennessee River, thus providing a short cut for all north-south travel.

Foute's modest two-story log hotel was replaced in 1853 by a three-story, seven-gabled frame building erected by Watson, who had purchased the property three years before. This edifice, which the Laniers owned, was described as "the largest and best, to be found at any watering place in all the south-west."⁸ The boast was very likely based upon fact, for it was 200 feet long, with a 150-foot ell, 100 rooms, and porches running its full length on each floor. Even White Sulphur, whose 400 by 100-foot, 228-room hotel was built in 1858, had nothing comparable.

In addition to the hotel at Montvale there were approximately sixty cottages, like those to be seen at any watering-place, and at the height of the season, which was from June 1 to October 1, the guests numbered between three and four hundred. While there, they paid something like \$2 a day, \$12 a week, or \$40 a month.⁹ By way of further comparison, the expenses at White Sulphur, whose cottages reminded one guest of a "permanent Methodist camp meeting,"¹⁰ were \$18 a week at the end of the 1850's, when at the season's prime

⁷George F. Mellen, "Montvale of Old," *Knoxville News-Sentinel*, April 30, 1912. According to the late Mr. William Parham, Blount County antiquarian, Jesse Wallace and Jesse Thompson found the springs while hunting lost cattle. It was also Mr. Parham's opinion that the name Montvale, said to have been given the springs by Sam Houston, was Houston's name rather for the little valley between the mountain and the ridge, where the springs were subsequently discovered, for Houston was not in Blount County after 1814.

⁸*Whig*, August 27, 1853.

⁹*Whig*, May 20, 1868. The rates for 1869 were \$2.50, \$16, and \$60; for 1879, \$2, \$10, and \$30. Presumably they included board and lodging. *Guide to the Summer Resorts and Watering Places of East Tennessee. Presented with the Compliments of East Tennessee, Virginia and Georgia Railroad Company* (Memphis, 1879), 30. Hereafter cited *Guide to Summer Resorts*. Earlier the rates were probably less; those of Washington Springs, Va., were \$1.60 and \$8 in 1860. *Whig*, July 28, 1860.

¹⁰George Featherstonhaugh, *A Canoe Voyage up the Minnay Sotor* (London, 1847), I, 54. At the larger resorts patrons built their cabins, which were laid out in Paradise Row, Nullification Row, and the like, and brought their own servants.

1600 persons were present.

Guests at Montvale, from its beginning until a few years after Lanier left, arrived by stage from Knoxville. The line of "No. 1 Troy coaches" left daily at 6:30 a. m. and reached the hotel in time for the noon meal; fare was \$2.25 each way.¹¹ Headquarters were for some years at Sampson Lanier's hotel in the city. Mail arrived at Montvale on Tuesdays, Thursdays, and Saturdays at 3 p. m. and departed the following day at 8 a. m., the route from Knoxville, No. 10092, being let for \$1200¹² per year.

Besides enlarging the facilities at Montvale, Watson improved the grounds, so that by the time Lanier arrived the ten-acre sloping lawn in front of the hotel was planted with a variety of native and foreign trees and shrubs: Scotch broom, ginkgo, incense cedar, sugar maple, red maple, hemlock, pawlonia. Through them wound a large circular drive directly in front of the hotel.¹³ Except for this clearing, Montvale was closely walled in by Chilhowee Mountain, a few hundred yards from the rear of the hotel, and a low ridge just in front, in later years known as "Little Chilhowee." The last miles of the approaching road were through dense woods.

The most impressive feature of the Montvale estate, however, has always been the huge rock formation at the summit of Chilhowee Mountain, about three miles from the hotel. It covers an area of some seventy-five square feet, and its most precipitous boulder, on one side level with the crest of the mountain, is on the other a hundred feet above the ground. From Look Rock or View Rock,¹⁴ as it was also called, 1150 feet above the valley, a sweeping view may be had of the foothills and plain in the west and, in the east, Happy Valley¹⁵ and the higher Smoky range.

The actual springs at Montvale, within a few steps of the hotel, are two in number, the upper containing more iron, the lower more sulphur. A sulphur spring three miles distant and several non-mineral ones on the mountain were also on the property. The spring nearest the hotel, the most popular, belongs to the saline class of mineral waters and was first thoroughly analyzed by J. B. Mitchell,

¹¹*Whig*, July 17, 1858.

¹²*Ibid.*, March 16, 1861; *Knoxville Register*, May 13, 1858.

¹³The present approach is on the north side of the third hotel site, which is farther up the hill from the spring than the second.

¹⁴The boulder was first known as White's Rock, named for Hugh Lawson White, Knoxville statesman. Among the legends associated with it is the story that Robert Y. Hayne, visiting Montvale in 1836, assisted in dislodging a nearby rock of enormous size from a precarious position upon the precipice. Meilen, "Montvale of Old," *loc. cit.*

¹⁵According to Mr. Parham, the name was first used by Thomas Whitehead, a resident, who reported election returns from the valley under that name in the 1870's, saying the constituents voted as one man. Whitehead furnished Montvale with fresh venison under the proprietorship of King, and boasted that he could sell a sheep, skinned so skillfully that its odor would not betray it, to King for a deer.

professor of chemistry at the East Tennessee University, four years before Sterling Lanier arrived. According to him, a gallon contained the following grains:

sulphuric acid	54.12
lime	37.98
magnesia	4.08
soda	3.00
iron, peroxide	1.66
chlorine	1.19
alumina	.50
potash	} traces
organic matter	
carbonic acid	6.74 ¹⁶

The water was praised by John Moorman, physician at White Sulphur and once a resident of Knoxville, as favorably representing the class to which it belongs, and as valuable in the treatment of dyspepsia and diarrhoea.¹⁷ As a general tonic, it afforded great opportunities for advertisement, which a later management fully realized when it promised relief for the following catalogue of ailments: anemia, scrofula, chlorosis, dyspepsia, dropsy, paralysis, blennorrhoea, gravel, gleet, menorrhagia, dismenorrhagia, disorders of the liver, nervous afflictions, confirmed weakness and loss of muscular power, and all chronic cases attended by low vitality and a weakened condition of the whole system.¹⁸

Mineral waters were not, of course, universally beneficial nor wisely taken without professional advice. Like most smaller resorts, however, Montvale did not have a physician in its early years. Indeed, like most all watering-places of whatever size, Montvale combined the features of health and pleasure resorts. It did not belong exclusively to either group. Its patrons testified not only to physical rejuvenation but to a lively enjoyment of the scenery and of the fare. The water was described as "light, refreshing and agreeable to the taste . . . not very unlike that of the celebrated Kissingen Spa, near

¹⁶"Analysis of Montvale Spring - Efficacy and Properties of Mineral Waters," *The East Tennessee Record of Medicine and Surgery*, I (1853), 357-363. Other classes of waters are acidulous, sulphureous, chalybeate, and thermal. The greatest benefit was to be gained by selecting and alternating the springs of several classes in some prescribed order. Bathing in general remained a characteristic of European, especially German, resorts rather than American. John Bell, *The Mineral and Thermal Springs of the United States and Canada* (Philadelphia, 1855), 13-16, 49, 50, 58, 59.

¹⁷*Mineral Springs of North America* (Philadelphia, 1873), 197, 198. This edition of Moorman's work contains a picture of Montvale. In 1855, when he was practicing medicine in Knoxville, he prepared a pamphlet entitled *Montvale Springs* (printed for John B. G. Kinsloe) for the proprietor's distribution. It was reviewed in *The Southern Journal of the Medical and Physical Sciences*, III (1855), 309.

¹⁸*Guide to Summer Resorts*, 32. The claims are not staggering when compared to those of other watering-places. Sweet Springs, Va., was advertised as a specific for sterility, while a Tennessee springs was said to be superior for coffee-making.

Wertberg, in Bavaria,"¹⁹ and its effect upon the bather was said to be such that when "you come out, every nerve in your system is tranquilized, and you find yourself involuntarily whispering, 'Peace on earth and good will to man'."²⁰ The location of the hotel in "the Switzerland of America,"²¹ where "the dim forests by which the springs are surrounded form a striking contrast with the charms which culture has thrown around their immediate vicinity,"²² was described as one in which

the studious or the dejected may here plunge into the dense forest, and spend the hours in silent, unbroken meditation; the adventurous may scale the heights above, emerging, as it were, from a prison-house, and gaze once more upon the world around ²³

Not the least feature dilated upon was "the good living, the fat mutton, fresh venison, and other and abundant supplies of all the heart can wish, or the stomach digest, and the fine style in which they are done up by Lanier & Watt"²⁴

A particularly ebullient report appeared in the *Memphis Bulletin*, written from Montvale on April 26, 1858:

I desire to speak of Montvale and its healing, invigorating qualities, so that, should any afflicted remnant of mortality chance to see it, he may know where to apply for relief. My stomach was totally deranged and my liver in a perfectly torpid state, from which combination I suffered greatly; but the use of this life-giving water has healed me, and I am myself again. The action of the water on the liver is decidedly good, and I have seen many diseased livers entirely cured

In the rear of the Hotel, Chilhowee mountain towers up high toward the clouds. — There is a good road from Montvale to the top of the mountain, from which point the view is most enchanting, and the pure, bracing air renders one so buoyant and light. Here, too, you are in the midst of game — may chase the deer and fox, and some ten miles, to the great Iron or Smoky Mountain, you may have great sport bear, wolf and panther hunting. When wearied with the chase you may seat yourself on the banks of Abram's creek, a large mountain stream, and with your hook and line take many of the finny tribe.

When angling becomes irksome, with a well-trained pointer or setter you may enjoy great sport, grouse shooting on the mountains. I could give you many amusing incidents from my sporting notes in these mountains.

¹⁹*Ibid.*, 33. Not everyone agreed about the taste of mineral waters. A contributor to *The Southern Literary Messenger* described it as "a mixture of brimstone and eggs in a state of putrescency" and queried, "Is it worth eight dollars per week to partake of this 'villainous compound?'" "Another Visit to the Springs," *The Southern Literary Messenger*, I (1835), 775.

²⁰*Whig*, August 27, 1853.

²¹*Bell, op. cit.*, 281.

²²Hermann Bokum, *The Tennessee Hand-book* (Philadelphia, 1868), 33.

²³Richard Owen Currey, *A Sketch of the Geology of Tennessee* (Knoxville, 1857), 127.

²⁴*Whig*, July 7, 1860.

Montvale is just twenty-five miles from Knoxville, which is easily accessible by rail, and a daily line of mail coaches from Knoxville to Montvale, over a beautiful road. But to cap the climax, when you reach Montvale, you are met by that prince of landlords, Sterling Lanier, late of Macon, Ga., who knows well how to administer to the wants and necessities of his visitors. His attentions are untiring, nor does he ever fail to give universal satisfaction. With such a landlord, and water of such undoubted merit, Montvale must of necessity become the Saratoga of the South.²⁵

Montvale was not, of course, the only resort in these mountains so full of natural attractions, so rich in mineral springs. Business competition was furnished Lanier by one other watering-place in the county, Kerr's Yellow Sulphur Springs, and by half a dozen within sixty miles. He was 125 miles from the northern state line, beyond which lay the multifarious springs of Virginia. In the summer of 1860 the Knoxville *Whig* carried advertisements of eleven other watering-places. At the head of an editorially-recommended list was Montvale, followed by Lea's Springs, Mineral Springs, and Oliver's Springs, all in Tennessee.²⁶

Despite the notorious prejudice of the editor, his preference was probably justified this time, largely owing to the character of the management at Montvale. As a hotel proprietor, Sterling Lanier appears to have had natural qualifications and, by the time he reached Tennessee, considerable experience. In the 1840's he operated the Floyd House and in the 1850's the Lanier House in Macon, where the guests included President Fillmore, Secretary of the Navy Kennedy, Stephen A. Douglas, and Alexander H. Stephens. At the Exchange Hotel in Montgomery, in which he acquired stock in the 1850's, the Alabama Secession Convention and the first Confederate Cabinet met. It also appears that Lanier was connected with the La Farge Hotel in New York, which was operated under that name from 1856 to 1866.²⁷

Though not a man of letters, judged from his correspondence, Lanier stands out in his own family as the unquestioned head of three generations. He was far more successful than any of his children, who held reputable positions in the professional and social life of the South, or of his grandchildren, who included the poet and man

²⁵Quoted from the Knoxville *Register*, June 3, 1858. Catoosa Springs and White Sulphur were also among southern springs termed the "Saratoga of the South." Percival Reniers, *The Springs of Virginia* (Chapel Hill, 1941), 183, 232.

²⁶*Whig*, June, 1860. One hundred and ninety-six mineral springs have been listed in Tennessee, of which seventy were once resorts. George I. Whitlach, "Mineral Springs and Wells in Tennessee," *Journal of the Tennessee Academy of Science*, XVIII (1943), 305-324, including a bibliography.

²⁷"Lanier-Washington Family Notes," a 23-page typescript in the Dept. of Archives and History, Montgomery, Ala. The hotel is identified by Mrs. John Tilley, a great-grand-daughter of Lanier's, who has some of the silver.

of letters Sidney Lanier. The census of 1860,²⁸ which found him at Montvale, valued his real estate assets at \$88,400 and his additional personal property at \$52,525. Before him the establishment had had a succession of short term managers under Foute's and Watson's ownership,²⁹ but he combined the abilities of a business man and host. On his staff, which he evidently tried to maintain in the grand tradition, were a Swiss gardener, Julien Mynier, and probably a French cook, Lue Encrede.³⁰

During the seven years of Lanier's residence at Montvale the great, the near-great, and the obscure continued to gather at his board. Without question the most regular and ardent patron of the Springs, for upwards of twenty years, was William Gannaway Brownlow. The "fighting parson" came from Jonesboro to Knoxville in 1849, bringing his *Whig* with him. From here he went to the governor's chair in 1865 and to the Senate four years later. Brownlow spent some part of each summer at various southern springs, only to expatiate in the columns of his paper upon the superiority of Montvale, "the most lovely spot we know of upon this green earth."³¹

In addition to printing its advertisements, he contributed editorials several times a year directing visitors thither in some such tenor as this: "Persons in bad health, or even in good health, who don't go to Montvale Springs this season, deserves [sic] to be sick!"³²

When Sterling and Sampson Lanier operated the Lamar House in Knoxville, Brownlow was among the first to visit and approve their establishment; their party during the Christmas holidays charmed him from his customary sober pursuits:

The gentlemanly proprietor of this fine Hotel, Mr. Lanier, gave his boarders a complimentary party, on Tuesday evening, and a magnificent entertainment it was! We are getting up in years, and have but little taste for these displays, preferring the enjoyments of "the home-circle"; but still having a stomach for a fine supper, we attended and, strange to relate, we remained until midnight!³³

A bond between Brownlow and Lanier was probably their church affiliation; both were ardent Methodists. But a subject which ultimately must have divided them was politics. Though Brownlow

²⁸Individual Returns of the Population Census, 1860 (unpublished M.S. in the National Archives, Washington, D. C.).

²⁹They included Calvin Anderson, 1834-40; David W. Tedford, 1848; William McTeer, 1851; David W. Tedford and William McTeer, 1852; James Bell, 1853; William B. Coleman, 1855; H. P. Redding, 1856.

³⁰The name of the French Encrede appears in the census of 1860. That he may have been the cook is suggested in Sidney Lanier's novel, *Tiger Lilies*, where the Montvale cook is referred to as the French Ned.

³¹*Whig*, August 27, 1853.

³²*Ibid.*, February 5, 1853.

³³*Ibid.*, January 3, 1857.

opposed the northern abolitionists, he was even more violently hostile to the southern disunionists. The absence of his customary letter from Montvale in the *Whig* for 1861 may possibly be explained by the fact that the sympathies of the Laniers and most of their guests were Confederate.

During 1862 and 1863, Lanier's last years there, Brownlow was discreetly absent from East Tennessee. Accused of participating in the burning of the Confederate-controlled bridges on the rail lines through East Tennessee in November, 1861, he was obliged to hide out in the mountains, near Wear's Cove. On his return to Knoxville he was jailed and the following March escorted out of the Confederacy. Assuredly by this time he had found another name for the "gentlemanly proprietor," from whose compatriots — "God-forsaken scoundrels, and hell-deserving assassins"³⁴ — he fled for his life.

In 1859, the third year of Lanier's proprietorship, Montvale was visited briefly by Arnold Guyot, the Swiss geologist, then professor at Princeton, on the third of his four expeditions to the southern Appalachians. Having measured the northern and central portions of the chain, he now concluded an eleven-year pilgrimage in which his aim of surveying the entire system remained secondary to his interest in developing a barometrical process of determining elevations.

Montvale was the westernmost point reached in the summer of 1859 and a turning point in Guyot's maneuvers.³⁵ Accompanied by his nephew and map-maker, Ernest Sandoz, Guyot first re-examined certain North Carolina peaks. Then ascending the Smoky range in Cocke County, Tennessee, he followed its summit to the gap at the Little Tennessee River. The last point measured was Montvale, where he established his station at the main building. He evidently reached Montvale by the road over the Chilhowee Mountain.³⁶

At this juncture, encountering difficulties in the northerly direction from which he approached certain peaks, Guyot returned

³⁴*Ibid.*, May 25, 1861.

³⁵In a letter of October 3, 1859, Guyot called this trip "a long and laborious one. Much rain, great distances, imperviable forests, delayed me two months." James B. Dana, "Biographical Memoir of Arnold Guyot," *Annual Report of the Board of Regents of the Smithsonian Institution . . . for the Year Ending June 30, 1887* (Washington, 1889), Pt. I, 717. The trips of 1856 and 1858 consumed the month of July.

³⁶A. Guyot, "On the Appalachian Mountain System," *The American Journal of Science and Arts*, Ser. 2, XXXI (1861), 187. In his earlier account of the expedition, printed in the *Asheville News* for July 18, 1860, Chilhowee Mountain appeared as "Hill House Mt." Guyot, "To the Editor of the *Asheville News*," in *Selections from the Speeches and Writings of Hon. Thomas L. Clingman* (Raleigh, 1877), 146. The map accompanying his final report showed Montvale Springs. Myron H. Avery and Kenneth S. Boardman, eds., "Arnold Guyot's Notes on the Geography of the Mountain District of Western North Carolina," *The North Carolina Historical Review*, XV (1938), 251-318.

to Waynesville and employed the services of Robert Collins, a native guide. From the southern point of Collins' home near Clingman's Dome he climbed the nearby peaks in company with Collins and two helpers, his son Joseph Collins and Henry Gunter.³⁷ The number of points for which he published elevations was thus brought to one hundred and eighty-two. Montvale was put down at 1293 feet and the summit of Chilhowee Mountain as 2452 feet.

Lanier had reason to be interested in Guyot's explorations. At the same time that he measured these peaks, Guyot named some of them, and the name he gave to the highest, Clingman's Dome, was that of a relative of Montvale's host—Thomas Lanier Clingman of North Carolina. Joseph Le Conte, for whom a nearby peak was named, was also well known in the family; a cousin of his was Sidney Lanier's college roommate, and his niece married Clifford Anderson, brother of Sidney's mother.

Another expatriate at Montvale, possibly the first year Lanier was there and certainly the year before, was John Mitchel, the Irish nationalist. Escaping to the United States from Van Dieman's Land in 1853, Mitchel first edited the *Citizen* in New York and then attempted farming in East Tennessee. He arrived in Knoxville in March, 1855, and on May 1 took his family to live in Tuckaleechee Cove, forty miles away in the mountains. A log house in the midst of 136 acres was the Mitchels' home until September, 1856, when they moved to Knoxville; a year later Mitchel launched the *Southern Citizen*, but in December, 1858 he left Knoxville for Washington.

About six weeks after coming to Tuckaleechee, Mitchel received a letter, delivered by messenger, from Montvale Springs, sixteen miles distant. It was the minute of a meeting of the Montvale guests, presided over by a chairman and four secretaries, called when Mitchel's arrival in the neighborhood became known to them. Five resolutions were passed, wherein the assembly welcomed Mitchel to Tennessee, expressed their sympathy with him as a patriot and a martyr, voiced their admiration for him as a scholar and a gentleman, commended his conservative attitude toward slavery, and invited him and his wife to stay indefinitely at the hotel at their expense.

To the authors of this document, whom Mitchel described as "southern judges, members of the legislature, and no end of

³⁷Collins said Guyot spent two weeks at their house. W. C. Allen, "Old Settlers Recall Visits of Scientist," *Asheville Citizen-Times*, August 21, 1932. Another account has it that the entire party, including the Collinses, broke up at Montvale. John Preston Arthur, *Western North Carolina* (Raleigh, 1914), 209. Guyot said he had Collins' services for more than a month. "To The Editor of the *Asheville News*," *loc. cit.*, 142. See also Paul M. Fink and Myron H. Avery, "The Nomenclature of the Great Smoky Mountains," *The East Tennessee Historical Society's Publications*, IX (1937), 53-64.

colonels," he returned "a very curt answer, saying I was compelled by engagements at home to decline their more than polite invitation; and besides, that I was not a martyr, but a farmer."³⁸ The note, he afterward learned, occasioned much laughter among the recipients.³⁹

Before moving to Knoxville the next summer, however, Mitchel spent two weeks at Montvale among

many very agreeable southern families, mostly Georgians, very different from any experiences I have had of northern Americans. They were all very polite to me, but you know I am endeared to them by my border-ruffian principles. Montvale is an immense house, standing on the very root of the Chilhowee, and surrounded, of course, by noble woods. There were in the house two hundred and fifty persons, besides a great number in detached cottages. There was a brass band, and dancing every evening. Such gorgeous dressing I have never seen in America or anywhere else. Everybody was pleased, and seemed disposed to make the time pass jovially.

Yet after this encomium, Mitchel eratically concluded: "Nevertheless, I can't say that I had much pleasure. Next summer, if I can afford it, I will bring all my flock there for two or three weeks."⁴⁰

If he did return to Montvale in 1857, Mitchel found it much the same: similar cotton and rice families, another Georgia proprietor, and further stirrings of southern imagination. For this time the guests probably included Sterling Lanier's grandson, whose young and romantic imagination was soon to memorialize Montvale in a novel.

Sidney Lanier was not the only writer for whom the watering-place served as the scene of literary inspiration. In the 1880's Mary Noailles Murfree, while gathering material for *The Prophet of the Great Smoky Mountains*, was a visitor at Montvale. Her tale "The 'Harnt' that Walks Chilhowee" seems to be laid near the hotel. Lanier's may not even have been the first fictitious account of Montvale, for it has been supposed, though without the corroboration of internal evidence, that it is the setting for part of Charles W. Todd's *Woodville*.⁴¹

Lanier's acquaintance with Montvale was made in the summers from his fifteenth to his nineteenth years. From the time his grandfather became the proprietor until he himself went to war in 1861 he was accustomed to visit there, as indeed was the entire Lanier family. In the summer of 1860 all Sterling Lanier's children

³⁸Mitchel to Miss Mary Thompson, November 1, 1855, William Dillon, *Life of John Mitchel* (London, 1888), I, 77.

³⁹J. Mitchel, "Journal (Being a Continuation of a 'Jail Journal')," *The Irish Citizen*, November 20, 1869.

⁴⁰Mitchel to Mary Mitchel, his sister, August 10, 1856, Dillon, *op. cit.*, I, 89.

⁴¹Published in Knoxville in 1832. See George F. Mellen, "First Tennessee Novel," *Knoxville Sentinel*, November 20, 1910.

and grandchildren were present, totalling, he said, twenty-five. Their letters are full of allusions to Montvale, anecdotes about family servants and idiosyncratic guests, accounts of fishing in Abram's Creek and hunting on Gregory Bald. There they played billiards, ten pins, and chess, danced the Lancers, and drank St. Julien wine. There both Sidney and his brother Clifford kept literary notebooks, and thither Sidney's thought returned when he came to write his first book.

This book, *Tiger Lilies*, was composed after the Laniers left Montvale and was published in 1867. The plot is both slender and improbable, revealing at once the young author's saturation with German romances. Yet for all its bookish echoes, it is a naive reflection of the summers of his late teens. Its Tennessee scenes are laid at Knoxville, Montvale, Cades Cove, along the Little Tennessee River, and at a fabulous house, Thalberg (a German version of the word Montvale), situated on Chilhowee Mountain. At Montvale, where the narrative pauses briefly, the hotel and cabins, the grounds, the spring halfway up the mountain, and Look Rock at the summit are described. And in the characters who disport themselves at these spots — dancing at Montvale, hunting along the Little Tennessee — it is possible to recognize the Laniers and some of their guests.

These scenes are also populated by characters very much in the regional tradition. Lanier's mountaineers, who are done to the life, bear the names of some of his grandfather's neighbors: the Razors and the Smallenses. They "shoot fur the beef" at Montvale, where shooting matches continued to be held on Saturdays long after the Laniers' day. In later years, however, a turkey was both target and prize, and whoever "drew blood" was also rewarded.

As for the Cherokee Indian in *Tiger Lilies*, he must have been attached to the Qualla Boundary in western North Carolina, where the eastern remnants of the Cherokee Nation were settled. From here they wandered freely through the mountains, even as far as Knoxville.⁴² Montvale itself was not far from their old capital on the Little Tennessee River, and at the hotel they were still to be seen as late as the 1890's, coming from a small community in Miller's Cove to sell baskets and strings of birds' eggs.⁴³

Lanier's two German women, too, lend an authentic touch to

⁴²Mitchel recalled seeing in Knoxville in the late 1850's an Indian who wore white men's pants, belonged to the Methodist church, offered to shoot a dime on a target on the opposite side of the street with a bow and arrow and collected the dime when he hit it. "Journal (Being a Continuation of a 'Jail Journal')," *The Irish Citizen*, October 23, 1869.

⁴³Lucy Curtis Templeton, "A Country Calendar," *Knoxville News-Sentinel* (undated clipping in the McClung Historical Collection, Lawson McGhee Library, Knoxville).

his novel, for the first Scotch-Irish settlement of this region was followed in the mid nineteenth century by Germany and English migrations. Montvale itself was advertised to these nationalities in such handbooks as James Gray Smith's *A Brief Historical, Statistical and Descriptive Review of East Tennessee, United States of America*⁴⁴ and Hermann Bokum's *Das Tennessee Handbuch*.⁴⁵ The Springs was surrounded when the Laniers were there by dozens of first and second generation German-Americans⁴⁶ - Grindstuffs, Murrs, Kagles, Hutsells, Wetzells, Langs or Longs - and by a few natives of Germany and Austria. One of these natives, Charles Ott, may have acquired some local fame by counting in his household in 1860 a ninety-year old crone, Katy Hollis, whose profession was "witch."

Smith himself, a Lancashire man, lived a few miles from Montvale, and another immigrant from the same part of England, Robert James, operated rather extensive woolen, cotton, saw, and grist mills at the mouth of Abram's Creek. Lanier may have had his estate in mind when he wrote of the spacious house and grounds of Thalberg.⁴⁷

For the most part, however, despite this early penetration of the region by southern aristocrats in the summer and by immigrants from abroad seeking new homes, East Tennessee remained throughout the nineteenth century isolated and conservative. Its sympathies and fortunes during the Civil War are perhaps partly responsible. The presence of a Whig majority here, headed by Brownlow, plunged it into a local guerilla war and ultimately drove out most other influences.

On all sides of Montvale raged this sectional conflict, and although the watering-place itself was unharmed, Sterling Lanier was among those at last forced to flee. It is not surprising to find that his grandson capitalized on these facts, too, in *Tiger Lilies*, where a disgruntled veteran vengefully murders and burns in the neighbor-

⁴⁴London, 1842. Montvale was located on Smith's map. See also his pamphlet, *A Description of Improved Farms in East Tennessee* (London, n.d.).

⁴⁵Philadelphia, 1868, pp. 20, 54. Bokum, a German, was Tennessee's first commissioner of immigration. Brownlow's administration, in which he served, climaxed the Swiss and German immigration into the state. Brownlow customarily had his message to the legislature reprinted in German and widely distributed; of a speech in 1866, 1000 copies were printed in English and 2000 in German, upon which the Knoxville *Messenger of Peace* inquired, "Are Americans a minority in Tennessee?" E. Merton Coulter, *William Gannaway Brownlow* (Chapel Hill, 1937), 288.

⁴⁶Blount County's first Lutheran church, St. Thomas', was established in 1811 and by 1838 there were two, Cooper's and St. John's, the latter standing about six miles from Montvale. Socrates Henkel, *History of the Evangelical Lutheran Tennessee Synod* (New Market, 1890), 5, 25, 43. References to St. John's and Cooper's are in the minutes of the North Carolina synod.

⁴⁷In later years residents near Montvale recalled an English family in that vicinity which, accustomed to being visited by a baker's wagon, went without bread for some days while waiting for one to appear.

hood of Montvale, and the southern sympathizers withdraw at last from the border land.

After Tennessee seceded in June, 1861, it became necessary for a Confederate army to occupy Knoxville, and even then snipings and skirmishes continued. One occurred in October near the Lamar House which Lanier formerly operated.⁴⁸ In November, when the railroad bridges were burned, the Confederates hanged five men and imprisoned others, including Brownlow. Sometime that winter the rival Yellow Sulphur Springs near Montvale was burned by Negroes; its proprietor, Jesse Kerr, was like Lanier a southern sympathizer.⁴⁹ At an undetermined date the nearby James mills were also burned, and there was fighting on Chilhowee Mountain.⁵⁰

In February, 1862 the surrender of Fort Donelson ended Confederate government in the state, but it was not until September, 1863 that Burnside occupied Knoxville. The interim saw the lowest ebb of social, intellectual, and economic life in East Tennessee. In the summer of 1862 Montvale was not open to guests. And when the Robert Laniers, Sidney's family, stayed there during the following winter they became witnesses of a spectacle described by Sterling Lanier to his sister:

This sad war has caused much distress and grief in all the land and but few families that have escaped the loss of some dear ones — and this country in particular has and must suffer greatly, not only for the loss of Husbands and Children, but for the very necessarys of life — throughout East Tennessee thousands have left and gone to the Federal Army, leaving this Country with old men, women and children to make their support, and what is to be the end of all this it is impossible even to surmise.⁵¹

The siege of Knoxville followed in a few months, and presumably before it was lifted the Laniers had returned to Alabama to live. The unrest continued in the land they left. Incited by the vindictive Brownlow, who became governor in 1865, the victors took their revenge with libel, arrest, flogging, robbery, and murder. Through the remaining years of the decade, even to the end of the century, prejudices smoldered and occasionally flared.

⁴⁸W. G. Brownlow, *Sketches of the Rise, Progress, and Decline of Secession* (Philadelphia, 1862), 263.

⁴⁹Interview with Mr. Parham, who said his father, a Union man, was staying with his family at the hotel and, warned by a friendly Negro, escaped in the night.

⁵⁰The story, also Mr. Parham's, is that in the retreat of the Confederates into North Carolina, pursued by Kirk of Thomas' brigade, there were casualties on the Look Rock road. A Confederate soldier named Sellers, being here wounded, was taken to Montvale to recuperate, and after the war's end he was deliberately shot by a band of Unionists who rode out from Maryville to Montvale.

⁵¹Lanier to Jane Ogburn, April 3, 1863, *loc. cit.* During this and the preceding year coffee rose from 14c to \$1 a pound, salt from 2½c to 30c, and brown sugar from 12½c to 30c. In February, in the midst of actual famine, the East Tennessee Relief Association was organized, through which northern aid was obtained. Thomas William Humes, *The Loyal Mountaineers of Tennessee* (Knoxville, 1888).

Yet if 1863 marked the end of Sterling Lanier's years as a host in East Tennessee, it was for Montvale the beginning of its fourth decade of life, under his successor. If many of its old patrons did not return, new ones appeared, attracted by the facilities for entertainment which he advertised. They included a separate ball room, a ten-pin alley, a shooting gallery, a billiard hall, a bar, and croquet grounds. In 1868 King and two associates incorporated their business under the same title the Laniers had used. That year travel to the Springs was expedited by the laying of a line by the Knoxville and Charleston Railroad; its terminus was Montvale Station, within three miles of the hotel. By the late 1870's there were resident physicians.

In 1876 the property passed out of King's hands,⁵² and on May 13, 1896, the hotel burned. Not until 1901 was the third building erected, smaller in size and situated a little north of the old site. On November 21, 1933, it too burned, and this time there was no demand for rebuilding. The long vogue of watering-places was at an end, except for those like White Sulphur, which adapted themselves to the changing times by interning prisoners of war and entertaining international conferences.

In their time, of course, such resorts as Montvale received many visitors who were less enthusiastic about what they found there than were Brownlow, Mitchel, Bokum, Moorman, and the Laniers themselves. The traveller Frederick Olmstead, exploring the east side of the Smokies in 1860, passed a watering-place near Asheville such as he might have seen near Knoxville on the west side. His description is characteristically unromantic:

It was a white, wooden building, with a long piazza for smokers, loungers, and flirts, and a bowling alley and shuffle board; with coaches and trotting wagons at the stable; poor women picking blackberries, poor men bringing fowls, school girls studiously climbing romantic rocks and otherwise making themselves as pretty as possible, children fighting with black nurses, and old gold spectacles stopping me to inquire if I was the mail, and if I had not got a newspaper.⁵³

And from a resort in Maury County in Tennessee the pseudonymous Kate Conyngham wrote in the same year:

There is probably no purgatory on earth (for purgatories abound in this world) so effectually conducive to penitence and repentance as a watering place. If good cannot come out of evil, nor light out of darkness, nor laughter

⁵²King sold to Burke and Sims in 1876. In 1898 Andrew Gamble purchased the property at auction. In 1903 it passed from Gamble to Thomas F. Cooper and in 1911 from Cooper to Ludwig Pflanze, the last to operate a hotel there. Material he had assembled for a history of the Springs was consumed in the fire in 1933.

⁵³*A Journey in the Back Country* (New York, 1860), 251.

out of sorrow, neither can any thing interesting proceed from a watering place. . . . I have read till reading is insufferably tiresome—I have walked till I could walk no longer—I have talked till I am tired of hearing my own voice and the voices of others—I have jumped the rope till I have blistered the soles of my feet and made my hands burn—I have drunk the waters until I shall never bear to hear water mentioned again—I have danced under the trees, and looked on in the old dancing room, till dancing is worn out—I have yawned till I have nearly put my jaws out—and I have sat till I could hardly keep my eyes open, looking at the trees, the hot walks, the listless-wandering-about people, that look as if they could take laudanum, hang themselves, or cut their throats, “just as lief do it as not,” if it were not so impolite and wicked to shock people’s nerves by perpetrating such dreadful things!⁵⁴

Yet the impress made by the watering-places of Virginia, Tennessee, North Carolina, Georgia, and Alabama upon the life about them is not lightly to be estimated. For more than a hundred years from these focal points ideas were disseminated through a land isolated by distance. Schools, like the University of the South, were planned; political maneuvers were outlined, as in the famous White Sulphur Letter; science was advanced by men like Guyot, measuring the Great Smokies; novels of the mountains were written, of which *Tiger Lilies* was one. At the troubling of the waters currents were set in motion which, widening, reached even out of sight.

⁵⁴J. H. Ingraham, *The Sunny South* (Philadelphia, 1860), 200, 201.

EAST TENNESSEE DURING THE FEDERAL OCCUPATION, 1863 - 1865

By JAMES B. CAMPBELL

When the "inevitable conflict" approached in the 1850's East Tennessee was a bulwark of Unionism. Its representatives in Congress favored compromise measures to avert secession movements. It supported Bell in the campaign of 1860. When the Harris government of the state sponsored referendums on the secession issue, East Tennessee twice voted overwhelmingly for the Union, the last time being after the fall of Fort Sumpter, in the election of June 8, 1861.

Overruled by an avalanche of secessionist votes from Middle and West Tennessee in June, 1861, the leaders of East Tennessee still did not yield. They met in convention at Greeneville on June 17, 1861, denounced the election of June 8 as fraudulent, and memorialized the state legislature to permit the withdrawal of East Tennessee from the rest of the state. This move failing, East Tennesseans adopted a program of obstructing the Confederate war effort and appealing to President Lincoln for military aid. In the congressional elections of 1861, held after Tennessee had affiliated with the Confederacy, all three successful candidates in East Tennessee were Unionists. All three tried to take their seats in Washington, and two were eventually successful. Meanwhile, Andrew Johnson retained his seat in the United States Senate. William G. Brownlow, who had consistently and uncompromisingly wielded his editorial pen for the cause of the Union in pre-war years, continued to publish "treason" to the Confederacy in his Knoxville *Whig*. Armed bands formed and drilled secretly, and thousands made their way to Kentucky to join the Federal army. Escaped Yankee prisoners were aided in traversing an "underground railroad" through Knoxville.¹ A scheme for destroying bridges on the important railways was concocted and partially carried out.

Such activities led to the occupation of East Tennessee by Confederate troops and a gradually sharpened terror against Unionists. Bridge burners were hanged, and hundreds of lesser offenders found their way into local jails or the Confederate prison at Tuscaloosa, Alabama.

¹ W. B. Hesseltine, "The Underground Railroad from Confederate Prisons to East Tennessee," *East Tennessee Historical Society's Publications*, No. 3 (1930), 61.

Supporters of the Confederacy in East Tennessee were in the minority, but they had power and influence greatly disproportionate to their numbers. In the main they were of the wealthy and aristocratic classes living in or near the towns. The Unionists, on the other hand, came from the yeomanry of the rural and mountainous regions. Since there had developed no city working class of any proportions, in many respects the war in East Tennessee assumed the character of a class struggle between the rural small holders and the plantation owners of the towns. Such economic factors added to the bitterness of the conflict. Slaveholders regarded Unionists as elements desirous of upsetting sacred property relations, as levellers, the equivalent of modern communists and socialists.² On the other hand, the Unionists, while not so clear-cut in their position, tended to regard the slaveowners as their exploiters. "We can never live in a southern confederacy and be made the hewers of wood and drawers of water for a set of aristocrats and overbearing tyrants," said Parson Brownlow, the outstanding spokesman for the Unionists.³ Thus, the term "Civil War" was probably more applicable to what took place in East Tennessee than to any other phase of the war.

In September, 1863, the long efforts of Andrew Johnson, Horace Maynard, and other East Tennessee leaders bore fruit in the occupation of Knoxville by General Ambrose E. Burnside. The reception of the latter was enthusiastic. News of his coming had spread over the countryside. People drifted into Knoxville from distances of up to twenty-five miles on foot, on horseback, and in wagon. Many carried delicacies in the form of canned goods, dried fruit, and smoked meat to distribute among their Yankee deliverers. A Baptist clergyman living nine miles from Knoxville, hearing of Burnside's approach late at night, arose, dressed, aroused his neighbors, and led a parade of welcomers that arrived in Knoxville before sunrise.⁴ As Burnside's troops entered the city unopposed, crowds lined the streets, "waving flags they had concealed under their beds and under the floors of their dwellings for that purpose."⁵ Chattanooga was soon in the hands of the Federals and reconstruction in East Tennessee had begun. After a brief attempt by Longstreet to regain Knoxville, Confederate forces retired to the extreme north-

² J. W. Patton, *Unionism and Reconstruction in Tennessee, 1860-1869* (Chapel Hill, 1934), 44.

³ *Ibid.*, 57.

⁴ *Report to the Contributors to the Pennsylvania Relief Association for East Tennessee by a Commission Sent by the Executive Committee to Visit that Region and Forward Supplies to the Loyal and Suffering Inhabitants* (Philadelphia, 1864), 16. Hereafter cited as *Pennsylvania Relief Report*.

⁵ *Brownlow's Knoxville Whig and Rebel Ventilator*, January 30, 1864.

eastern section of East Tennessee and never seriously threatened again during the course of the war.

In the meantime preparations were in progress toward the transition to peace under Unionist auspices backed by Federal arms. William G. Brownlow came back on the heels of Burnside's army. Army ambulances were furnished by direct order of Secretary of War Stanton to convey his family and that of Horace Maynard from Cincinnati to Knoxville.⁶ Realizing the propaganda power of the zealous Parson's editorial pen, the Federal army took special steps to re-establish him in the newspaper business. The long, low brick building in which he had formerly published the *Whig* had been converted into stables and a sort of gun factory.⁷ The printing apparatus was either missing or unusable. This lack was soon remedied when a Federal brigadier removed a press, type, and ink from Alexandria in Middle Tennessee and sent them to Brownlow.⁸ In addition the government subsidized the Unionist editor with \$1500 in cash and allotted five army transport wagons to bring paper and other supplies from Cincinnati.⁹

Such confidence was not misplaced. Brownlow soon demonstrated that his persecution and imprisonment during the Confederate occupation had not impaired his power of invective against his enemies. In fact his physical deterioration seemed to have sharpened his intellectual faculties. His courage, of course, had never wavered. He changed the name of his paper from *Brownlow's Knoxville Whig and Independent Journal* to *Brownlow's Knoxville Whig and Rebel Ventilator*. Reprinting the defiant editorial with which he had suspended publication in 1861, he launched a campaign of editorial counter-terror against the Confederates and their sympathizers. Before the war Andrew Johnson had been the foremost employer of the class angle in political propaganda. Now Brownlow assumed the Johnson toga and wore it with great consistency. Typical of his class appeal is the following:

We belong to the "low flung" party of Unionists, and don't aspire to any higher class of associates. We have always despised in our hearts of hearts, a hateful aristocracy in this country, based on the ownership of a *few ashy negroes*, and arrogating to themselves all the decency, all the talents, and all the respectability of the social circle.

⁶ *The War of the Rebellion: Compilation of the Official Records of the Union and Confederate Armies*, Series I, Vol. XXX, Part III (Washington, 1893), 745. Hereafter cited as O. R.

⁷ Samuel M. Arnell, *The Southern Unionist* (unpublished manuscript in the possession of Mrs. B. F. Farrar, Knoxville, Tennessee), 243.

⁸ E. M. Coulter, *William G. Brownlow, Fighting Parson of the Southern Highlands* (Chapel Hill, 1937), 250.

⁹ *Ibid.*, 250.

The "low flung," aye, the "mudsills" of society, the hard-fisted yeomanry of this country are going to govern it, and the *respectability* of the land may prepare to meet their humiliation. Educated Labor is to take the place of your slave-ocracy, and it will not be long until it will be looked upon as no disgrace for a man to eat his bread by the sweat of his brow.¹⁰

Later the logic of his position was to lead him to bring the formerly-despised Negro into his united front against aristocratic privilege. He was helped greatly in this development by his contacts with abolitionists and other liberals in the North. One evidence of their influence was the position he took on pay for the common soldier in the Union army. Following a Cincinnati meeting on the subject, Brownlow came out editorially for raising the pay of privates to \$20 per month and proportionate raises for non-commissioned officers.¹¹

The *Whig*, occupying as it did a semi-official status, soon surpassed in influence, if not in circulation, its pre-war record. As a Morristown Conservative Unionist put it, "The rabble have it as their guide and textbook; and as they see no other journal conclude that it is the only one published on the continent and a true exponent of the old union doctrines. I am so situated that I can see the result of its influence."¹²

This power was turned full blast on the leading Confederates of East Tennessee, particularly those who had had a part in the terror against Unionist. The *Whig* repeatedly stated that such militant Confederates as Sneed, Swan, Crozier, Sperry, Haynes, and Campbell Wallace could never live in East Tennessee again. Union men who had suffered at their hands would be "justified in shooting them down on sight, and we shall regard hundreds of them as wanting in courage and in resentment if they do not dispatch them wherever they meet their rotten carcasses." The killing of East Tennessee Unionists, the destruction of houses, barns, and fences, and the plundering of stock and grain were urged in justification of such summary action. "Let the Imps of Hell," advised the Fighting Parson, "die the death of traitors and upon the shortest possible notice."¹³ Even this treatment did not seem adequately severe for former members of Rebel drumhead courts-martial.¹⁴

While calling on others to avenge their wrongs, Brownlow was not remiss in practicing what he preached. He attributed most of his personal misfortunes to certain Confederate leaders in Knoxville who

¹⁰ *Brownlow's Knoxville Whig and Rebel Ventilator*, November 11, 1863. In February, 1866, this paper's name was shortened to *Knoxville Whig*. Hereafter Brownlow's paper and its successors will be cited as *Whig*.

¹¹ *Ibid.*, January 9, 1864.

¹² Bird Manard to T. A. R. Nelson, June 28, 1865, Nelson Papers (McClung Collection, Lawson McGhee Library).

¹³ *Whig*, January 9, 1864.

¹⁴ *Ibid.*, April 9, 1864.

assisted in arresting and imprisoning Unionists during the war. In January, 1864, he brought suit against three of these leaders for \$25,000.¹⁵ When the case came up in circuit court the jury returned a judgment for the full \$25,000 in Brownlow's favor after only five minutes' deliberation.¹⁶ The defendants got an annulment of this decision in 1868, but they lost their rents collected during Brownlow's possession and also were held liable for taxes for the same period.¹⁷ Brownlow then threatened new action for \$40,000, but apparently he never actually got around to filing the suit.¹⁸

Other Unionists were urged to follow Brownlow's example, and many did so. T. A. R. Nelson, who had the confidence of the Confederates, received frequent requests to represent persons being sued for damages. In one such case the Confederate commanding officer of the post at Jonesboro was sued for \$5000 on the ground that he had imprisoned a Unionist for two days. The same man was subjected to another suit for \$50,000 for imprisoning another Unionist for thirty-seven days.¹⁹

In January, 1864, Rebel prisoners held in Knoxville were ordered sent north. The officers, who were quartered at the home of a Knoxville physician, were permitted to have visitors on the Saturday evening before their departure. Confederate sympathizers brought liquors and wines for the farewell celebration. The next day, according to Brownlow, "she rebels" made a "bold, impudent *flirting demonstration*" as the officer prisoners passed along Gay Street on their way to the depot.²⁰

This led the Parson to use strong words about the Confederate-sympathizing ladies of Knoxville. He recognized two kinds: "the prudent, quiet kind (which are few and far between)" and the more numerous class, "brazen as the Devil, full of impudence, with but little sense, and less prudence, flirting about, meddling in everybody's affairs, and seeking notoriety by acting and talking as a *well raised lady* would be ashamed to act or talk." Brownlow advocated sending the latter group south to remain for the duration of the war.²¹ Rebel preachers also felt the effect of his wrathful pen. Nor were these attacks purely theoretical. The Parson believed in the union of theory and practice. During January and February, 1864, numerous persons of Confederate sympathies were deported to the cotton states

¹⁵ *Ibid.*, January 9, 1864.

¹⁶ Coulter, *Brownlow*, 254.

¹⁷ Samuel C. Williams (ed.), "Journal of Events (1825-1873) of David Anderson Deaderick," East Tennessee Historical Society's *Publications*, No. 9 (1937), 109. The original is in the McClung Collection, Lawson McGhee Library.

¹⁸ Coulter, *Brownlow*, 275.

¹⁹ James A. Rhea to T. A. R. Nelson, October 10, 1865, Nelson Papers.

²⁰ *Whig*, January 16, 1864.

²¹ *Ibid.*, January 9, 1864.

by way of Chattanooga. Among these were at least five women and three preachers from Knoxville.²²

East Tennessee Rebels, however, did not wither away at the wave of Brownlow's editorial wand. Guerilla bands of Confederates remained active in many counties. Bushwhacking was common on both sides. Rebel guerillas were charged with forcing Union men to serve as covering guides in order to shield them from Unionist bushwhackers.²³ A favorite sport of Rebel bushwhackers was to hide in trees along the railroads and shoot at Yankee soldiers and Unionists on the trains. To counteract this the Federals set out to clear the timber from the sides of the railways for a distance of one-half mile on each side. This served the dual purpose of removing cover for bushwhackers and providing fuel for locomotives, wood being commonly used at that time instead of coal.²⁴

Warning notices frequently appeared on trees and buildings threatening dire happenings to opposing guerillas. One such, signed "Old Soldier," was found near New Market. "All damned rebels," it proclaimed, "are hereby notified to leave at once." Charging that the Confederates had promulgated the rule that Union men and Confederates could not live together, "Old Soldier" stated that local Unionists had adopted the rule with reverse implications; that "thieving Godforsaken, hell-deserving rebels" would now have to move.²⁵

In some cases men of property who had been Confederate sympathizers made their peace with the Unionist authorities but had sons who still participated in guerilla activity against loyalists. This was particularly true in Blount and Jefferson counties. Brownlow urged that the guerilla off-spring should be punished by the seizure and appropriation or destruction of their parents' property. "Throughout the length and breadth of East Tennessee, where roads are destroyed and Union property taken, let rebel property be reduced to ashes, and their livestock appropriated."²⁶ As for the guerillas themselves, Brownlow suggested that they be captured and "disposed of" without being imprisoned.²⁷

Another solution suggested by the fertile-brained Parson was to draft twenty thousand men into the militia of the state in order to protect property. He advocated making the Rebels come into this organization or be driven from the state.²⁸

²² *Ibid.*, January 30, and February 6, 1864.

²³ *Ibid.*, January 11, 1865.

²⁴ Brig. Gen. W. D. Whipple to W. J. Stephens, and A. A. Talmadge to J. H. Magill, February 8, 1865, Nelson Papers.

²⁵ Handbill dated July 24, 1865. A copy of original is found in the Nelson Papers.

²⁶ *Whig*, September 3, 1864.

²⁷ *Ibid.*, January 11, 1865.

²⁸ *Ibid.*, September 3, 1865.

One tragedy of the transition period was the burning of the home of the eminent Tennessee historian, J. G. M. Ramsey. The flames that destroyed "Mecklenburg" also consumed a valuable manuscript on Tennessee history. The physician-historian himself was compelled to flee beyond the Confederate lines and did not return until after the ousting of the Radical regime.²⁹

To the exiled Confederates from East Tennessee it appeared that "the bottom rails were on top" and that the "worst part of the Union element was uppermost."³⁰ Vigilante activities became so destructive of law and order that the Federal provost marshal for East Tennessee, Brigadier General S. P. Carter, was moved to issue orders against Union sympathizers punishing Rebel sympathizers. Patience was urged on Unionists. Appropriate punishment was promised for wrongs committed by Confederates, but officers and soldiers were ordered to arrest anyone attempting to take the law into his own hands.³¹

Troubles of equal magnitude beset East Tennessee in the economic field. Both armies had traversed almost the whole length of the region four times, living in the main off the countryside. In many cases bands of outlaws had followed in the track of the armies. The last Confederate retreat before Burnside had been particularly disastrous. Thinking they were seeing East Tennessee for the last time, the retreating Rebels seized as much livestock and movable property as they could carry with them. Persons of known Unionist sympathies were deliberately plundered of everything they had. Barns, dwellings, and pastures were stripped. Even such items as blankets and shoes were requisitioned forcibly from their owners.³² Around Knoxville a great deal of what reserve the farmers had managed to retain after the occupation of both armies was used by Burnside while he was being besieged by Longstreet in November, 1863. According to Brownlow, Burnside's army received daily during the siege more than one hundred wagon loads of flour and forage, "and every night [the farmers] floated boat loads of provisions down the river, through the fog and darkness, past the pickets of the enemy."³³

In the cities and towns conditions were equally bad. Shops when still open had little on their shelves. Many articles of common use disappeared from the market. Prices rose so high that only a few had the means to buy anything. Typical Knoxville prices in Feb-

²⁹ William Rule (ed.), *Standard History of Knoxville, Tennessee*. . . . (Chicago, 1900), 506.

³⁰ Walter L. Fleming (ed.), *Documentary History of Reconstruction* (Cleveland, 1906), I, 40-41.

³¹ *Whig*, January 16, 1864.

³² *Ibid.*, March 5, 1864.

³³ *Ibid.*, January 30, 1864.

ruary, 1864, were flour, \$20 per barrel; butter, \$1.00 per pound; Irish potatoes, \$3.00 per bushel; and corn meal, \$3.00 per bushel.³⁴ Some comparison of prices before the war with those of 1864 will show the rise in living cost more clearly. Coffee rose from fourteen cents to \$1.00 a pound; salt, from two and one-half cents to thirty cents; brown sugar, from twelve and one-half cents to seventy cents. Calico cloth rose 800% and all clothing in proportion. Gold and silver almost passed out of circulation, and barter became a common mode of trade. Debtors eagerly paid their debts in the depreciated currency.³⁵

Concern over the disastrous economic situation led to public meetings in order to discuss ways and means of alleviating conditions. One such meeting at Knoxville resulted in the organization of the East Tennessee Relief Association. This organization immediately memorialized the Federal government for aid, asking payment of claims for property destroyed during the war, and asking the government to furnish transportation for any relief supplies that might be obtained. A more long-range suggestion was made; namely, that the Federal government subsidize the completion of the railroad from Cincinnati to Knoxville, which had already been projected and begun.³⁶

Nathaniel G. Taylor was appointed to represent the association in the northeastern states in an appeal for funds from private citizens.³⁷ Taylor proceeded to Cincinnati where he addressed a public meeting and received several hundred dollars to finance his further relief activities. Letters of endorsement were procured for him from Andrew Johnson and President Lincoln before he went to Philadelphia. At the latter city he addressed another meeting and helped organize a Pennsylvania chapter of the East Tennessee Relief Association, which was officered by some of the most prominent men in the state. Over \$15,000 was subscribed in Philadelphia almost immediately.³⁸

From Philadelphia, Taylor proceeded to Boston. There he addressed a gathering of prominent citizens in Faneuil Hall. An association was formed that included among its officers Edward Everett, the governor of Massachusetts, and the mayor of Boston. Everett gave an eloquent introduction to Taylor, in which he praised highly the land and the people of East Tennessee.³⁹ Taylor followed with a

³⁴ *Ibid.*, February 13, 1864.

³⁵ Patton, *Unionism and Reconstruction in Tennessee*, 71.

³⁶ *Pennsylvania Relief Report*, 34-36.

³⁷ *Whig*, February 13, 1864.

³⁸ T. W. Humes, *The Loyal Mountaineers of Tennessee* (Knoxville, 1888), 309-310.

³⁹ *Whig*, March 12, 1864.

long address in which he recounted the sacrifices East Tennesseans had made for the Union cause. When he had finished, a letter was read from General Frank P. Blair in which he said that he had led an army to the relief of Burnside in Knoxville through East Tennessee, and knew that the country had been traversed by both armies several times; that the region had suffered particularly under the Confederate occupation because of the loyal sentiments of its inhabitants; and that although his own forces had been compelled to live off the country, "the people came out to meet us, bringing with them their scant supplies, and freely offered them to our soldiers."⁴⁰

The meeting then passed resolutions petitioning the Massachusetts legislature to appropriate funds for aid to East Tennessee. On the next day the president of the Boston association received a contribution of three dollars from one who signed himself "A Teacher in a Public School." From this humble beginning contributions to the Massachusetts fund reached a total of \$100,000 by June 4, following. Most of these donations came from Boston and its suburbs, but some came from other states and even from outside the United States. John Lothrop Motley, Jr., United States minister to Austria, sent \$200 in a letter that stated that "few episodes more moving or more instructive" will be found in history "than the record of those Tennesseans who have so long sustained the Republic and its principles, amid such trial and at such sacrifices." Later, in the spring of 1864, Taylor visited Maine and received \$11,000 from the governor of that state and from a relief association at Portland. From there he went to New York where he enlisted the aid of the poet William Cullen Bryant to promote the collection of funds in that state.⁴¹

While Taylor continued his tour the Pennsylvania relief organization, which had been organized as a result of his Philadelphia appearance, sent two commissioners to Tennessee. They met an agent of the Knoxville association at Cincinnati. The three then purchased large quantities of flour, bacon, rice, molasses, sugar, salt, and soda and sent them on their way to Knoxville by way of Nashville and Chattanooga. On the suggestion of the Sanitary Commission representative at Chattanooga, \$250 worth of garden seeds was included in the shipment to be distributed from Chattanooga and Knoxville.⁴²

The commissioners preceded the shipment to Knoxville and there conferred with the local relief association officials. The Pennsylvanians suggested that the supplies should be sold in all cases in

⁴⁰ *Ibid.*, March 5, 1864.

⁴¹ Humes, *Loyal Mountaineers*, 316, 317, 393.

⁴² *Pennsylvania Relief Report*, 8, 9, 11.

which the applicants were able to pay. No one, however, would be turned away because of lack of money. Priorities in distribution should be on the following basis:

Union families who have suffered at the hands of rebels on account of loyalty should have the first and largest portion. After them other families who have adhered throughout to the Federal Government. Next, such as, whatever their past conduct, do now adhere to the same; and, lastly, to the old men, women, and children of such families as now have representatives in the so-called Confederate army. In our view, no part of this bounty was intended for secessionists of the fighting age.⁴³

Before the relief shipments began to arrive economic conditions had become worse. During the winter of 1864, ten thousand army animals died in East Tennessee for lack of feed and forage. Many civilians were forced to let their horses and cattle die for the same reason. Travelers in the spring of 1864 commented on the scarcity of the stock and the emaciated condition of the few seen. Barns looked empty, almost no fences were still standing, and hogs and poultry were rare sights. Flour had gone up to \$30 per barrel, coffee to \$1.50 per pound, and other commodities in proportion. Even the thrifty settlement of Quakers in Blount County, formerly one of the most prosperous communities in East Tennessee, was forced to apply to the army for quartermaster rations.⁴⁴ Little prospect for improvement was promised for the next year. Wheat sowings were only five to ten per cent of the pre-war average. Practically no oats or potatoes were left for seed, and observers estimated the probable corn crop as no more than twenty per cent of the usual acreage and yield.⁴⁵

Steps were taken by civilian and military authorities to stimulate farm production. A campaign was launched to stop the current practice of Federal troops of using the farmers' rail fences for fuel. Brownlow asked the military authorities to stop impressment of grain, horses, and mules in East Tennessee. He contended that the recent reopening of railway communication with Nashville rendered such procedure unnecessary. The practice had already been discontinued in Nashville. "Why should the rebels of Nashville be treated better than the loyal people of East Tennessee?" Brownlow asked.⁴⁶

Major General Schofield ordered all army animals unfit for military service to be loaned to East Tennessee farmers until called for by the chief quartermaster.⁴⁷ In order to mitigate the fear of a

⁴³ *Ibid.*, 12.

⁴⁴ *Ibid.*, 18.

⁴⁵ *Ibid.*, 34.

⁴⁶ *Whig*, March 5, 1864.

⁴⁷ *Ibid.*, April 16, 1864.

renewal of Confederate invasion, the government offered its guarantee of protection to all farmers planting crops in those parts of East Tennessee which were within Federal lines.⁴⁸ The agent of the Western Sanitary Commission in Chattanooga planted one hundred acres in vegetables and distributed many early garden seeds in that area.⁴⁹

As spring merged into summer conditions tended to improve. Relief supplies began to arrive in volume sufficient to alleviate destitution perceptibly. Shoes and other clothing arrived as well as food. Shipments continued through the fall. During December, 1864, there was a temporary interruption due to Hood's attempt to take Nashville.⁵⁰ Over \$10,000 worth of shoes and woolen goods destined for East Tennessee was purposely burned by the Federal army for fear the shipment would be seized by Hood.⁵¹ After General Thomas' victory at Nashville, December 15-16, 1864, the railroad was reopened to Chattanooga. Flour was shipped to Knoxville in great quantities. For a time the storehouses there became so full that there was a problem of what to do with the flour. Bad roads into the hinterland prevented county agents from the more remote areas from applying for and removing their quotas. This led to a temporary policy of the East Tennessee Relief Association of giving larger distribution in the immediate environs of Knoxville. In this way Knox and the adjoining counties were largely relieved of acute distress during the early part of 1865.

The spring of 1865 brought easier communication, and the surrender of Lee removed any military barrier to the extreme northeastern counties. On March 15, 1865, the association had already decided to distribute two-thirds of its supplies to the more remote counties, since Knox County and its immediate neighbors had received heretofore a disproportionate share and were now on the road to economic recovery. On August 1, Knoxville ceased operation as a local distributing center, retaining as its only local activity the furnishing of a physician for a refugee camp set up by the Federal army south of the river at Knoxville.⁵²

It had been the original intention to discontinue all activities of the East Tennessee Relief Association in the summer of 1865. However, extreme destitution in the northeastern corner of the region delayed suspension until the summer of 1868, but the amount of supplies distributed after the spring of 1867 was not great. After

⁴⁸ *Ibid.*, April 23, 1864.

⁴⁹ *Pennsylvania Relief Report*, 26.

⁵⁰ *Whig*, May 23, 1866.

⁵¹ Humes, *Loyal Mountaineers*, 328.

⁵² *Whig*, May 23, 1866.

the latter date funds were expended for purposes other than direct local relief. For example, \$500 was sent to victims of a fire in Portland, Maine.⁵³ The sum of \$2000 was turned over to two doctors in order to start a hospital at Knoxville. This grant was made with the understanding that the hospital would be named after Edward Everett and that half of the beds should be reserved for charity patients.⁵⁴ When the books of the association were closed in 1868, the balance was donated to this hospital to be used for the care of the "sick poor" in East Tennessee.⁵⁵

The East Tennessee Relief Association, in addition to its humanitarian work in relieving physical distress, attempted to assemble and preserve the original records of the war period and appealed to all who had had any connection with events in East Tennessee that might be of historical interest to put the experience in writing and deposited it with the association.⁵⁶

The power wielded by Brownlow during the transition period can hardly be overestimated. Not the least of the sources of this power lay in his holding a special agency under the United States Treasury Department. This position was given him originally in early 1863, before East Tennessee had been liberated. His headquarters were in Nashville, and his duty was "to permit or prohibit ordinary trading and commercial activities of all classes of people, powerful or insignificant, and especially to keep close watch on all cotton which should come into the possession of the Federal army, to guard it from the cupidity of speculators, whether private or officer."⁵⁷

When Burnside occupied Knoxville, Brownlow had his position transferred to East Tennessee with Knoxville as his headquarters. He then set out to see that all trade carried on in his district was done by persons of unconditional loyalty to the Union. Apparently he was given almost unlimited authority for achieving this end. His duty was to regulate all sale of goods, to seize all smuggled goods, and to seize and confiscate all "loose and perishable property left by rebels who have abandoned their homes and gone with the rebel army for protection."⁵⁸ His authority was backed to the limit by the provost marshal for East Tennessee, Brigadier General S. P. Carter.⁵⁹

By early February Brownlow was ready to announce some rules

⁵³ Nearly \$8000 had been received by the association from Portland in 1864.

⁵⁴ T. W. Humes, *Third and Fourth Reports to the East Tennessee Relief Association at Knoxville* (Knoxville, 1868), 5.

⁵⁵ *Ibid.*, 14.

⁵⁶ *Whig*, April 23, June 18, 1864.

⁵⁷ Coulter, *Brownlow*, 246.

⁵⁸ *Whig*, January 9, 1864.

⁵⁹ *Ibid.*, January 16, 1864.

which experience had shown him would be necessary if the desired ends were to be achieved. Trade permits were to be issued only to East Tennesseans. The maximum monthly gross business for one trader was to be \$3000. No permits would be issued for selling distilled liquors. The army alone would handle this problem. Goods consigned to a certain place for sale must actually be sold in the place indicated on the permit. If smuggled goods were found in any shipment, the whole shipment was liable to confiscation, and the offender would have his permit revoked. Sutlers were allowed to sell as much as \$2500 worth of goods per month to soldiers, but they could not sell to civilians. No Confederate could get a permit, no matter how many oaths he might have sworn. Traders with secret Rebel partners were liable to confiscation of their goods and the revocation of their permits.⁶⁰ Brownlow was also the sole judge of a person's loyalty, and there was no appeal. He was custodian of abandoned Rebel farms, plantations, and other property, which he offered to rent or lease to persons properly qualified and of unconditional loyalty.⁶¹

By late February the Parson took stock of his administration as treasury agent and decided that he had been too lenient up to that point. He apologized to the loyal public for this fault and promised to pursue a stricter policy in the future. Implying that Rebels had been carrying on trade through dummy partners with loyal records, he promised prompt confiscation of goods handled in this way. No permits would be granted for the time being except in Knoxville, Loudon, Kingston, Clinton, and Jonesboro. Goods brought into other centers would be promptly seized. No additional towns would be opened to trade until after conferences between Brownlow and the military leaders.⁶²

In April Brownlow retreated slightly on the liquor question. He announced that permits would be given to drug stores to bring liquor into East Tennessee for medicinal purposes, provided the druggists were known to him. At the same time he reiterated his refusal to grant permits to others. Considerable drunkenness on the streets of Knoxville both by civilians and soldiers was noted. This condition led the Parson to suggest that the military authorities close all liquor shops. Needless to say, this suggestion went unheeded.⁶³

While Brownlow carried out his duties as custodian of abandoned Rebel properties without undue timidity, he did not go so far as his editorials in this respect. Editorially he advocated outright confiscation of all Rebel properties "within the limits of loyal territory

⁶⁰ *Ibid.*, February 20, 1864.

⁶¹ Coulter, *Brownlow*, 254, 255.

⁶² *Whig*, February 27, 1864.

⁶³ *Ibid.*, April 16, 1864.

and of all conquered territories," which properties should be given to Union men of the same section to compensate them for their losses during the war. Any surplus, he suggested, might be applied to the Federal war debt.⁶⁴

One abandoned piece of property Brownlow found it necessary to take over was the Rebel-owned ferry over the Clinch River at Clinton. This he rented to his fellow Unionist, Leonidas C. Houk. Under the terms of the contract entered into by Houk and Brownlow the former was to pay the government \$250 per year as rent. The expenses of upkeep and operation of the ferry were to be borne by the renter. Houk was to ferry all military personnel and supplies free and also to give priority to military over civilian traffic.⁶⁵

While wielding his trade dictatorship Editor Brownlow used his newspaper to further various economic ends. For one thing he desired that Knoxville and East Tennessee look to Cincinnati as the source of imports and rejoiced that this city was replacing Richmond and Lynchburg in this field.⁶⁶ He criticized the military authorities for attempting to fix prices and advocated letting supply and demand be the determining factors.⁶⁷ On the other hand he complained of sky-rocketing rents. Stores, Brownlow charged, were renting at three times the prices they should command. He hinted that a little rent control by the military authorities might be justified.⁶⁸ Traders were encouraged by the *Whig* to go to Kentucky, buy hogs at seven to eight cents per pound, and drive them to Knoxville, where the hogs would bring at least fifteen cents per pound. Thus, a good profit would be made and the public interest would also be served, since there was a serious shortage of pork in East Tennessee at that time.⁶⁹

In early 1865 a tendency became apparent for holders of trade permits to speculate on their businesses. Brownlow quickly propounded rules designed to inhibit such activity. He stated that when a trader sold his business the permit would have to go with the business. The seller would then have to retire. A similar rule applied to Rebel property rented to qualified loyalists. When a renter ceased to use the property it would revert immediately to the treasury agent. These rules largely eliminated speculation and subletting.⁷⁰

Brownlow resigned as treasury agent after his election to the governorship of the state in March, 1865. His son, John Bell Brownlow, succeeded him and continued in the office until the end of

⁶⁴ *Ibid.*, April 9, 1864.

⁶⁵ *Ibid.*, April 23, 1864.

⁶⁶ *Ibid.*, April 2, 1864.

⁶⁷ *Ibid.*, March 3, 1864.

⁶⁸ *Ibid.*, March 17, 1864.

⁶⁹ *Ibid.*, October 5, 1864.

⁷⁰ *Ibid.*, February 15, 1865.

1865. At that time the office was discontinued, and such of its functions as were still necessary were taken over by the Freedmen's Bureau.⁷¹

One interesting phase of the transition period was the reorganization of the Methodist Episcopal Church in East Tennessee. Parson Brownlow played a leading role in this, as in all other activities of the period. In order to understand this development it will be necessary briefly to review the pre-war situation.

Prior to the heated controversies of the 1840's and 1850's the Methodist Episcopal Church of East Tennessee had a "reasonably consistent" record of opposition to slavery. When the church split in 1844 the dominant elements in the Holston Conference were pro-slavery, and they succeeded in leading the conference into affiliation with the Methodist Episcopal Church, South. A sizable minority of its ministers, however, continued to oppose slavery, and no disciplinary action was taken against them until after secession.⁷²

During the war the leaders of the Holston Conference took a strong stand in support of the Confederacy. They did this on the ground that it was the duty of Christians to be "subject to the supreme authority where they may reside." Definite scriptural authority was cited for this position. Going a step further in the annual Holston Conference at Athens in October, 1862, the ruling body asserted its duty to discipline ministers who failed to use "all laudable means to enjoin obedience" to the established powers (the Confederate government).⁷³ Disciplinary action was brought against a considerable number of ministers. After trials several were expelled or suspended, and others were placed on probation.

Brownlow and the Unionist Methodists were infuriated by this action. As soon as there was a good prospect of Federal liberation for East Tennessee, they began negotiations with Bishop Mathew Simpson of the northern church. After the occupation of Knoxville by Burnside the first issue of the *Whig* contained a blistering attack on the southern church. Its members were worldly, according to Brownlow, and indulged in dancing and card-playing at their Sunday school picnics. This was typical of the "rebel" church. There had been no religion in East Tennessee since "we Christians" had been driven into Kentucky.⁷⁴

Bishop Simpson used his influence in Washington to get an order from Secretary of War Stanton placing "all houses of worship

⁷¹ Coulter, *Brownlow*, 263.

⁷² W. B. Hesseltine, "Methodism and Reconstruction in East Tennessee," *East Tennessee Historical Society's Publications*, No. 3 (1931), 43-44.

⁷³ *Whig*, February 13, 1864.

⁷⁴ *Ibid.*, November 11, 1863.

belonging to the Methodist Episcopal Church, South, in which a loyal preacher appointed by a loyal bishop does not now officiate," at the disposal of the northern Methodist organization. The wording of this order was such that no building was secure in the possession of the Methodist Episcopal Church, South.

Armed with this economic advantage, Bishop Simpson proceeded to Tennessee in January, 1864. At Chattanooga he made arrangements with two Federal chaplains to reestablish the Methodist Episcopal Church in East Tennessee. The chaplains immediately began receiving loyal preachers into the Kentucky Conference of the church. They also made contact with Brownlow and arranged for a meeting at Knoxville for the purpose of reorganizing the Holston Conference.⁷⁵

At the Knoxville meeting, held on July 7, 1864, fifty-five delegates were present, of whom twenty-seven were preachers. Delegates' reports indicated that there were 112 loyal Methodist preachers in East Tennessee, sixty of whom were ordained. Forty more were vouched for but were not named due to fear of Confederate reprisals in the area in which they lived.⁷⁶

The report submitted by the general committee of the meeting, of which Brownlow was chairman, announced the determination of loyal Methodists to "no longer live under the iron rule of the Methodist Episcopal Church, South." Recommending return to the fold of the Methodist Episcopal Church, the report declared that loyal members were entitled to all the property of the Holston Annual Conference; that, in fact, the loyalists *were* the Methodist Episcopal Church, South, in Holston. The General Conference prohibition of slavery was accepted, and a petition was framed asking the General Conference to reorganize the Holston Annual Conference. The committee suggested, however, that this be done with native East Tennesseans in the leading positions.⁷⁷

During the following year a strong propaganda campaign was carried on in East Tennessee to get endorsements for the resolutions adopted in Knoxville. This was widely successful and resulted in another meeting at Athens in June, 1865. There the Holston Annual Conference was reorganized around a nucleus of forty East Tennessee preachers and six imported from other conferences. At the close of the meeting the conference claimed a lay membership of 6494 with fifty-three preachers.⁷⁸

Attempts to get the membership and clergy of the Methodist

⁷⁵ *Ibid.*, February 20, 1864.

⁷⁶ *Ibid.*, July 23, 1864.

⁷⁷ *Ibid.*, July 23, 1864.

⁷⁸ Hesselstine, "Methodism," *loc. cit.*, 52.

Episcopal Church, South, to come over in a body to the parent church were only partially successful. Many churches were seized from the southern church, however, and in many cases the evicted membership had to meet in public halls, private dwellings, and groves.⁷⁹

The southern Holston Conference held its own annual meeting in September, 1865, at Marion, Virginia. This body took a moderate and conciliatory course. It declared its loyalty to the United States government and reconsidered the suspension and expulsion of Unionist pastors accomplished at Athens in 1862. The conference, admitting that this action had been hasty, petitioned the General Conference of the Methodist Episcopal Church, South, to restore the victims of the purge to their former status. Since most of the "victims" had already affiliated with the northern church, this petition was scarcely more than a gesture.⁸⁰ The conference instructed all its ministers to take the amnesty oath and to accept the abolition of slavery as an accomplished fact and a closed issue.⁸¹

This conciliatory attitude on the part of the southern branch of the church did not endure for long, and it was never accepted by Brownlow and his followers. The *Whig* continued to attack southern Methodists in almost every issue. In McMinn County southern Methodist ministers were ridden on rails. On the other hand, the Klan warned "carpetbag" Methodist preachers to leave the region. In Washington County a controversy was waged over the remains of a deceased Methodist, rival preachers contending for the right to pronounce the final ceremonial prayer. The bitterness continued throughout the reconstruction period, and issues were never even approximately settled before the middle 1870's.⁸²

By April, 1865, considerable progress had been made in East Tennessee along the road to economic recovery. In all except the extreme northeast portion the threat of famine had been eliminated, and agricultural production was returning to normal. The bitterness between neighbors who had fought on opposing sides during the war had not subsided appreciably, however, and this bitterness continued to poison social relations throughout the reconstruction period and for long afterward.

⁷⁹ Coulter, *Brownlow*, 300.

⁸⁰ Isaac P. Martin, *Methodism in Holston* (Nashville, 1945), 90-92.

⁸¹ *Whig*, November 1, 1865.

⁸² Hesseltine, "Methodism," *loc cit.*, 57, 58, 61. The Klu Klux Klan, organized in Pulaski, Tennessee in May or June, 1866, did not become very active, however, in East Tennessee.

PAPERS FROM THE SPANISH ARCHIVES RELATING
TO TENNESSEE AND THE OLD SOUTHWEST,

1783-1800

Translated and Edited by

D. C. Corbitt and Roberta Corbitt*

(Continued from the East Tennessee Historical Society's
Publications, Nos. 9, 10, 11, 12, 13, 14, 15, 16, 17, 18)

XI—January - March, 1789

ROBERTSON TO MIRÓ, JANUARY 29, 1789¹

Miro district Nashville on Cumberland River
January 29th 1789

Sir

Being informed a report was in circulation at Orleans last Summer that the Inhabitants of Kentucky and this Country were raising Troops for the purpose of invading the Spanish settlements on the Mississippi, I have to assure You the report was entirely false and that the Inhabitants of these countries so far from endeavouring to create any disturbance in that quarter earnestly wish to take every Step in their power to cultivate the friendship of the subjects of his most Catholic Majesty.

We have likewise had accounts of a similar nature that the Spaniards were encouraging the Indians to make war on us and furnishing them with ammunition for that purpose which together with the stoppage of trade has occasioned much murmuring and uneasiness among the common people, but am happy to hear that trade is in some measure opened and hope for the future such reports which only tend to create Jealousies and uneasiness will not be credited by either; as they chiefly come from persons whose ill conduct has obliged them to fly and who think to ingratiate themselves by such Stories.

Every thinking person in this Country is fully convinced it is our interest to be on good terms if possible with those in possession of the mouth of the Mississippi. Nature seems to have designed the whole western Country to be one people.

The Indians still continue hostilities in some measure and have been troublesome in the course of last Summer. I should esteem it the greatest obligation if your Excellency would recommend peace with this Country to those Nations under your influence. I should be happy if you would favor me with an answer . . .

James Robertson.

*For editors' introduction see the beginning of the first installment of these "Papers" in the East Tennessee Historical Society's *Publications*, No. 9 (1937), 111-12. With few exceptions the letters printed are from transcripts and photostats of papers selected by A. P. Whitaker from the Papeles de Cuba in the Archivo General de Indias (hereafter cited as A.G.I., P.C.), Seville, Spain, for the McClung Collection in the Lawson McGhee Library, Knoxville, Tennessee.

¹A.G.I., P.C., 202.

McGILLIVRAY TO MIRÓ, LITTLE TALLASSEE, FEBRUARY 1, 1789²
 Little Tallassie 1t. February 1789

Sir

I have received Your Excellency's letter of 13 Sept.³ only four days ago the Contents of which I have Maturely Considerd. the Instructions which his Excellency the Captain General Dn. Espiliba [Ezpeleta] have given Your Excellency respecting the Mode of Conduct which You are authorized to observe toward my Nation is in every respect highly Satisfactory to us. & I beg leave to Inform You that if I had not imagined that it was the Intention of the Minister to leave us to our fate, for so I Construed the royal order in the Manner in which it was Communicated, I Shoud Never have had recourse to extraordinary application to produce Means of defence

It is here that I uniformly proposed to Your Excellency a desire to Meet the Americans on the Ground of Peace, but at same time always persisted in that I Coud Never think of Making extraordinary Concession to them as the price of Peace. & I have always answerd their proposals for treating with requisitions to relinquish as a first measure, the encroachments which the Georgians had Made into the Center of our hunting Grounds: which being the Sole reason for our Commencing hostility. & that Cause being first removed we were Willing to treat on equitable grounds, & to Conclude a peace, on terms that Woud prove lasting: to every Such representation we were always answerd by them in Vague & Indefinite & even menacing terms. Yet Your & Govr. de Zepedes letters to Me were Strongly pressing to me to Conclude a peace with the americans, which If I had Complyd with in that Juncture, I coud Not have pretended to have asked of them any favorable Stipulations, either for our rights or Commerce So as to have been any ways Satisfactory to You our friends.

during this period of anxiety & Suspense,⁴ when I well knew that the americans were bent upon Schemes to ruin us & peremptory Injunctions were deliverd from Pensacola for our Making a peace on the most unconditional Mode, which exceedingly alarmd us, the English officer Bowles made his appearance as an adventurer & offering me his Services, to procure us a Supply of Arms & ammunition & if Necessary to recruit from the late Corps of Loyalist troops that were dispersed over the Brittish Continent & Islands, a Sufficient Number to Join My Indians, in making war & defending our Country from being Seizd upon by the americans. The first part of the offer I certainly accepted of & Some ammuniton & arms we got, as for the Men I gave him no Authority to recruit for My Services. This Matter I will not deny because I hold Myself Justifiable on the ground of Self preservation. & which any people Woud do under the Same Circumstances. as for any design formed by him or us on the Spanish territory, I can assure Your Excellency upon My honor there was Never So Much as an Idea Suggested of that nature, for we are Not Such fools as Not to know that England Woud Certainly declare against any Subjects of theirs on Such an occasion. & of

²A.G.I., P.C., 204. Compare with McGillivray to Pantón, February 1, 1789, J. W. Caughy, *McGillivray of the Creeks* (Norman, Okla., 1938), 215-220.

³Printed in Caughy, *op. cit.*, 209-211.

⁴McGillivray refers here to the stoppage of the supply of munitions by Miró in 1787 because of orders from Spain. The chief had then turned to William Augustus Bowles, who offered to bring supplies from Nassau. In 1789 Spain renewed the supplies to McGillivray.

Consequence We Shoud Suffer for folly & rashness.—Bowles brought a few Vagabonds with him & landed at Indian River, who deserted on the March & went to Pantan & Cos. Store on St. Johns river & Surrendered to a Spanish Guard there

I am Just favord with a report of their examination as taken at San Augustine.⁵ among other Matters they say that they were brought to Plunder that Store & others which is Not likely for a Stranger to accomplish without Indian friends or any means of conveying away, peltry & Goods &c. — Mr Pantan will forward a Copy of it to you.

I enjoy real Satisfaction at the assurance which you Make to us that we May firmly rely upon the Kings protection for the Safety & Security of our Country. this declaration clears up at once all our anxious apprehensions, & in its effect Cannot fail to reestablish a good harmony on the Strongest basis. in Compleating of which No endeavors of Mine Shall be Wanting, as for the adventurer Bowles Your Excellencys humanity does Not require his blood to be shed in this Country, but I will assure You that he Shall be Compelled to leave this Nation Never to return to it. he is Now about the Mouth of the Apalachicola river waiting for a Vessel with Goods Which are partly designd for a trading Voyage. When the Goods are landed he is to Send Me Word when I Shall Send a Man to Seize the Whole & dismiss him to Seek New adventure—⁶

on the 21st. Jany. a Cherokee Warrior called Terrapin arrived here with dispatches from the Commissioners of Congress,⁷ & a letter from Governor Pinckney⁸ of the State of South Carolina. Copsys of Which with my answer

⁵A copy of the declaration of the five deserters, dated November 21, 1788, is in Archivo Nacional de Cuba, Floridas, legajo 1, No. 25. It is printed in Lawrence Kinaird, "International Rivalry in the Creek Country," *Florida Historical Quarterly*, X (October, 1931), 59-85.

⁶Bowles remained in the Creek country until some time in April when he left for the Bahamas. From there he went to Canada and on to England. In 1791 he was back in Florida with another expedition. See F. J. Turner, "English Policy toward America in 1790-91," *American Historical Review*, VII (1901-02), 706-735; Pantan to Miró October 8, 1791, Caughey, *op. cit.*, 295-297.

⁷The commissioners were Richard Winn, Andrew Pickens, and George Matthews. Their letter to McGillivray, November 28, 1788, is in *American State Papers* (Washington, 1832-61), *Indian Affairs*, I, 30. Two copies of this letter are preserved in the collection of the South Carolina Historical Commission, Indian Affairs. John Steele was appointed by the governor of North Carolina to represent that state on the commission, but he did not join the others in time to take part in drafting the letter. See Richard Winn to Thomas Pinckney, December 19, 1788, original and duplicate in the collection of the South Carolina Historical Commission. The commissioners were replying to McGillivray's letters of August 12, 1788 and September 15, 1788, printed in *American State Papers*, *Indian Affairs*, I, 29-30, duplicates in the collection of the South Carolina Historical Commission. In the letter of November 28 the commissioners protested McGillivray's failure to stop the raids on the frontier and warned him bluntly: "In answer to your last where you so pointedly Attack that body under whom we have the Honor to Act we cannot be silent least it Should be tortured into a Conviction of Guilt. Narrow and illiberal Indeed must be that Mind that would Suppose that Congress after withstanding one of the greatest powers of Europe with her Allies, together with almost the whole of the Indian Tribes combined Should at this day have recourse to base artifice in order to accomplish the Ruin of a few Indian Tribes while she's enjoying the blessings of peace at home and an Honorable Name Among the Nations of the World."

⁸In his letter of November 6 to McGillivray, Governor Thomas Pinckney offered to mediate between the Creeks and the Georgians. A copy of this letter is in A.G.I., P.C., 1202. Replying, McGillivray said: "... as Your Excellency has Stcpt forward as the Mediator it is Very Necessary that you in that Capacity should be Informed of the real grounds of Such dispute & from the Account which I shall give You of it, You will readily admit that we had the best reasons for opposition." He then launched into a lengthy and able review of the dispute, beginning with the cession of 1773. Great stress was laid on the encroachments, duplicity, and cruelty of the Georgians. The original of this letter, dated January 26, 1789, is in the South Carolina Historical Commission, *Indian Affairs*. A somewhat different version, erroneously dated February 26, 1789, is printed in *American State Papers*, *Indian Affairs*, I, 19-20.

accompanys the dispatch. which I hope You will approve of. Your Excellency will observe or See that the Commissioners dispatch does Not afford any great hopes that an Amicable adjustment of the disputes will Soon take place. they have plainly declared that it is impossible for them to Comply with the requisitions we Made to See that our Claims & rights should be acknowledged by them as a first and Indispensable Measure toward forwarding a Treaty of Peace. that article to form the basis of concluding one upon which Might possibly hold a long time. I am happy that this part of My Conduct Meets with the approbation of the Captain General & Yourself. because if we were to give up this point to the Georgians, the rest of our Country is Scarcely worth the Struggling for, I shall here remark that if the Georgians upon their Commencing a New ⁹ [sic] people had Conducted themselves toward us in Moderation we Shoud have Not fallen out with them for trifles & in this Contest our Claims are Very Moderate because We have good & clear Grounds to dispute & Contend for Nearly the Whole province of Georgia. Whereas we only dispute for the encroachments Since the Year 82

Your Excellency will find from the amassed despatches that they Never Seriously desired a peace upon equitable terms. the Georgians have persisted in their Schemes until as they expected that Congress woud Join them to divide our Country among them. this Now appears evident. the Mediation which is offerd by South Carolina is Couch'd in Terms that Makes it impossible for us to accede to it. I consider the Whole is Calculated to bring on a quarrel that they Might declare themselves against us.

as to the Invitation which is given to us to Meet & treat in the american States. I have Strong objection to the Measure. if we were to go we Shoud be Surrounded by a Number of armd Men brought to the Spot under pretense of Keeping up good order. but in reality brought to execute any Sanguinary Measures that their officers Might choose to order to be perpetrated. & My particular life has long been threatened by them. & I have advices now from a respectable Authority that it is Not Safe for me to Venture among them on the Faith of any Invitation.

Upon the assurances of Support which Your Excellency has given me I have foregone & given up every other expectation to Satisfy You for I have No other Wish than to be protected by his Majesty of Spain in the effectual Manner which we desire. Nor do we desire to be Separated in any way from his protection. as our affairs are Now Circumstanced I am Necessitated to Make a requisition to Your Excellency for an Ample Supply of arms & ammunition to furnish our Numerous Warriors, ready for the events of Next Spring. the Small arms that have already been afforded to us are absolutely Useless. they are Not only too Small in the bore but they burst in a few discharges. I wish You to procure us Indian pieces of English Makes which are good & lasting at least two Years. & more [than] twelve hundred will be absolutely Wanting as the least Computation & Six thousand lbs of powder. twelve hundred of ball with equivalent of Flints. a hundred brass Kettles. a quantity of hatchets & knives, all which are quite Necessary when the Warriors Shall be obliged to take the field. for if we Must prosecute the War I Shall adhere to My former Conduct of Carrying it on in the enemys Country. rather than to let it approach our own. those articles Will be Needfull to be ready for us by the 15h. or 20h. of April Next. the most eligible Mode

⁹There is an evident omission between "New" and "people."

for us to receive them Would be for a Vessel to Carry them to the Mouth of the apalachicola (which is a little to the Westward of St. Mark) as a Small Schooner cannot enter the river Some boats Can take the things up the Flint River to the distance of Nine or ten Days March to a Village, where they would be safely deposited with a Trader Named Bourgress, or half breed Named Perrymont.¹⁰ this measure would be More Convenient for the Nation at large & less troublesome & expensive than for a Number of Indians to go to Pensacola, there is also a good Water Carriage to this place from Mobile when the river is full, the French formerly used it, —

Your Excellency can Judge of the expedients here Suggested & adopt either of them or Not as Shall appear best to Yourself, — & I entreat of Your Excellency to favor Me with Your opinion on the Matter for My better regulation —

There is a difficulty with Me in the Case of Timothy Lane¹¹ he does Much Mischief in Pensacola, & favord by Gov O'Neil he Insults at his pleasure every friend of Mine that Visits there, My relation MacPherson¹² had Nearly resolvd to Kill him, he abused My Sister & others in Mr. Pantons Yard. he likewise raises Contributions as he pleases on Traders one Sullivan¹³ was Made to pay him eighty dollars for Nothing, & I cannot in this Case Visit Pensacola while he remains there. the people under My Command here will Consider it as a triumph of that Vagabond over Me & I further wish You to recommend to the Commandants that they forbear to Interfere in disputes of Indian Countrymen & traders. I am Never backward in doing every Justice. I gave up Weatherford¹⁴ that was allied to Me to the Laws which he offended. & Lane having shelterd himself as a Spanish Subject I hope does Not hold that it is the privilege of a Spanish Subject to abuse & Villify Me at pleasure. I shall be Content if he is removed to Some place from Pensacola Soon. I Conclude this letter with assuring Your Excellency that I have a Sincere disposition toward the Spanish Nation & all its Interests. & entertain Great personal respect for Your Excellency, & am Your obedient Servant.

Alex: McGillivray.

ROBERTSON TO MIRÓ, FEBRUARY 18, 1789¹⁵

February 18th 1789

Being disappointed in finding this before I have now an opportunity of transmitting it by Captain John Bosley my son in law who is desirous of seeing that Country with a view of settling there after going to the Northward to adjust his business — I beg the favour of your Excellency to grant him a passport to remove his family and effects if the Country proves agreeable to him and should be happy it might include myself family &c. if I

¹⁰Bowles had proposed to use the same route to bring in supplies from Nassau. His plan was to store them with James Burgess and Tom Perryman. See McGillivray to Leslie, February 8, 1789, printed in Caughey, *op. cit.*, 222.

¹¹For the cause of McGillivray's hatred of Lane see O'Neill to Miró, August 15, 1788 and September 10, 1788 in installment VII of these "Papers," *Publications*, No. 15 (1943), 99-103.

¹²MacPherson is mentioned again in McGillivray to Carondelet, July 22, 1792, Caughey, *op. cit.*, 333.

¹³Stephen Sullivan. On other occasions he acted as interpreter. Caughey, *op. cit.*, 360-362.

¹⁴Charles Weatherford, brother-in-law of McGillivray. See *Publications*, No. 11 (1939), 67.

¹⁵A.G.I., P.C., 202.

should think proper to remove

The last Assembly of North Carolina have established a district including these Settlements and appointed Daniel Smith Esq. Brigadier General thereof . . .

James Robertson

[Addressed on the back:]

His Excellency the Governor of Louisiana
favd. by Captain Bosley

[TRANSLATION]

EZPELETA TO VALDÉS, HAVANA, MARCH 3, 1789¹⁶

No. 3

Confidential

Most Excellent Sir.

The Lieutenant Colonel of Infantry, Don Manuel Gayoso de Lemos, who after I received the prevenient Royal order of November 3, 1787, arrived in this City en route to Louisiana on a Commission for the Royal Service, of which he was to inform me (and which he has done), left for his port on February 21 last, transported at the expense of the Royal Treasury to New Orleans, in conformity with the same Royal Order.¹⁷

And Mr. James White, a Member of Congress from the State of North Carolina, who came from New York under the name of Jacques Dubois, sent by the Spanish Chargé d'Affairs there, as I Informed Your Excellency in confidential Letter No. 2 of December last,¹⁸ also continued to New Orleans with Don Manuel Gayoso, his passage there being at His Majesty's expense, according to what the said Chargé informed me . . .

Joseph de Ezpeleta

His Excellency Don Antonio Valdés.

[TRANSLATION]

GARDOQUI TO FLORIDABLANCA, NEW YORK, MARCH 4, 1789¹⁹

New York, March 4, 1789

Don Diego de Gardoqui

Confidential No. 24

Confidential No. 24

Most Excellent Sir

My dear Sir, Not having received the much esteemed communication of Your Excellency which I desire so earnestly, I am enclosing in this the duplicate of my last confidential letter of December 24,²⁰ and I beg Your Excellency to permit me to relieve my apprehension by communicating them and by fulfilling this obligation.

From the moment that we began to covet the favor of the inhabitants of the lands that border on Louisiana, I realized what would necessarily increase the delicacy of my situation here, and I resolved to proceed with all possible tact, without omitting the least step in the interest of the King's service, determined, as I promised Your Excellency, to face whatever pre-

¹⁶A.G.I., P.C., 86-6-17.

¹⁷Gayoso was to travel incognito to the western settlements and gather information. See Cabello to Valdés, June 6, 1789, A.G.I., P.C., 86-6-17, to be printed later. This journey was later found to be impracticable because Gayoso was delayed so long in Natchez that he became acquainted with a number of persons from Kentucky and Cumberland, thus making incognito travel impossible. Miró to Cabello, January 18, 1790, A.G.I., P.C., 86-6-17 (transcript in the McClung Collection).

¹⁸Printed in installment X of these "Papers," *Publications*, No. 18 (1946), 139-43.

¹⁹Archivo Historico Nacional, Secretaria de Estado (hereinafter cited as A.H.N., E.) 3893.

²⁰Printed in installment X of these "Papers," *Publications*, No. 18, pp. 138-39.

sents itself.

I was beginning to marvel that nothing had resulted from my conversations with Mr. John Brown²¹ (which he would necessarily have to reveal to his neighbors in order to convince them) when there appeared in one of the public dailies a Chapter of which I enclose a translation for Your Excellency's information.

I do not believe that what is stated is an accurate interpretation of what he said, because he is prudent and I believe him to be moderate, but nevertheless I know Morgan's plan and understand that it, together with what has been done by the Assembly of North Carolina and the party which is favorable to us in Kentucky are being watched with great care, and I shall not be surprised if it is one of the first questions to which the new Government turns its attention.

To continue about Mr. Brown, I enclose to Your Excellency a translation of another letter that I have received recently, and that of still another plan from a Major Isaac B. Dunn of whom I wrote to the Governor of New Orleans in a letter of October 2,²² a copy of which I sent to Your Excellency in my communication of that month.

By both of them Your Excellency will see the effect caused by my conversations with them, but I am uneasy because Mr. Dunn has not appeared as he promised.

Nevertheless, since he was indisposed, perhaps his project has been delayed more than he expected, and if during this interval Colonel Morgan has arrived and has informed them that I was thinking about absenting myself for a season, it would not be strange if both went down to interview the Governor of New Orleans, motivated by their interest in taking down some tobacco, notwithstanding the fact that in the letter, which Mr. Brown answered, I assured him that I would not go until I had his decisive reports nor while I could be useful to them.

While we wait for time to remove these doubts I enclose the copy of another letter — one that I have just received from Mr. Thomas Huttchins²³ in which Your Excellency will see what has been recently reported about the plan and appearance of Mr. Morgan whom I believe to have arrived already at his destination, and if he receives the support which is to be expected from the government at New Orleans, it [Morgan's settlement] will be the most important Bulwark for the king's service.

It has seemed necessary to me to pay the six hundred pesos supplied by Huttchins to Morgan according to the account I give Your Excellency, and I shall charge the amount to my annual expense account, and as for the 750 pesos which he says was the cost of the Original [letter] of the Adventurer Connolly,²⁴ I shall take time to inform myself more fully before paying any

²¹Delegate in Congress from Kentucky.

²²Dunn was one of Wilkinson's associates. The letter of October 2, 1788 is printed in installment X, *Publications*, No. 18, pp. 131-32.

²³Thomas Hutchins, a surveyor-general of the United States, died on April 29, 1789 and was succeeded by Andrew Ellicott. *Dictionary of American Biography* (New York, 1928-44), IX, 435.

²⁴Colonel John Connolly of the British army went from Detroit to Kentucky, ostensibly to look after land claims, but actually to persuade the Kentuckians to join in an expedition against Spanish possessions. Wilkinson wormed his way into the Colonel's confidence and scared him out of the country. By supplying an escort "to protect" Connolly on the return to Detroit, Wilkinson won his gratitude and then used him to learn of British designs and pass them on to Miró. See James Ripley Jacobs, *Tarnished Warrior, Major-General James Wilkinson* (New York, 1938), 89-90.

part of it, but without discouraging the continuation of the investigation, or his being allured to our Capital there, to which end I have replied guardedly to Hutchins.

I confess, Most Excellent Sir, that this variety of such distant subjects handled through correspondence from such a distance, which I am obliged to trust to people so little known, makes me uneasy, and has caused me the loss of many hours of peace, but since Providence has so disposed, there are no risks which will weaken my purpose, if I see that it may redound to the King's service.

While I continue to promote his interests there, I am even more preoccupied here by the continuous projects that are presented to me from all sides for new Settlements in the King's possessions, to which I generally give courteous and friendly replies, taking time to investigate the propositions before sending them to Your Excellency because it usually turns out that they are inadmissible, and their writings would tire you greatly.

Among them is the very boresome Dr. O'Fallon²⁵ of Charlestown who, according to what may be inferred from his procedure, believes that he is very important to us and that we should make his fortune, and although his character does not merit a continuation of the correspondence I answer him courteously, referring him to the Government at St. Augustine to whom belongs the country of which he treats.

Among the several persons that write me almost daily about these matters, I have had a very kind letter from General James Wilkinson who lives in Kentucky and was in New Orleans some time ago.

He asks my opinion about settling on the same land as Morgan, but since from what he says I infer that he is ignorant of the plan of the letter, I have answered him with friendliness and frankness and I shall not be surprised if on his return to Kentucky (he was in Virginia) he incites Brown and Dunn with whom he is intimate, for as he explains, he is very much disgusted with the present condition of this country.

By what I send you Officially on the proposition of Monsieur Tardiveau,²⁶ Your Excellency will note that I am not mistaken about the excessive price that we pay for Tobacco in New Orleans, and about returns this business should therefore make to the King, if its introduction is permitted by these waters.

I risk nothing in predicting that it would be possible to obtain each hundred pounds of that article for less than one-third of what the Royal Treasury pays in that City, and perhaps the same is true of other products of that soil; for which reason and for an infinity of others of greatest importance to the security and peace of the King's dominions, it seems to me that no precaution which helps toward the adequate defense of that only and invaluable outlet to the Gulf; will be *too great* or too expensive.

The day already approaches which I predicted to Your Excellency two years ago, when we shall see General Washington in the presidency General of this Government.

²⁵Dr. James O' Fallon, agent of the South Carolina Yazoo Company. See J. C. Parish, "The Intrigues of Doctor James O'Fallon," *Mississippi Valley Historical Review*, XVII (September, 1930), 230-263 and S. C. Williams, "French and Other Intrigues in the Southwest Territory, 1790-96," *East Tennessee Historical Society's Publications*, No. 13 (1941), 21-35.

²⁶Benjamin Tardiveau. See Gardoqui to Floridablanca, April 18, 1788 in installment IX of these "Papers," *Publications*, No. 17 (1945), 105-113.

The existence of this person has perhaps saved this nation from the internal dissensions which might be expected by anyone who knows its extent, and differences of dispositions, customs and interests, which notwithstanding, it seems proper to keep in mind, because it seems impossible that there could be found another man so beloved of all as was manifested by his unanimous election on one day. I doubt if there has ever been another such example.

Nevertheless I conceive his undertaking as very dangerous, because without remedy there await him many serious challenges from the individuals who make up the Government.

On the other hand, the expectations of the people from this system are so gigantic that they cannot be fulfilled, so that, if there are no improvements (as may be the case) and the taxes that are so necessary are continued, disunion will follow.

The Pillar on which they lean for the support of the State is the tariff on imports, and the Regulations for Commerce and Navigation which they propose to make in agreement with other nations, without taking into account that these nations do not need them and that the most they can expect is a reciprocal agreement in which each contracting party will decide according to its own convenience.

In fine, Your Excellency, I have stopped many times to reflect on these matters, and I see no reason for much improvement while peace exists among the European nations that have possessions in this new world.

Your Excellency already knows that I am acquainted with the new President, that I have gained his attention, and that in the midst of his characteristic reserve, he seemed to me decided in favor of the Plan that Mr. Jay and I propose for settling our national problems.

I am also acquainted with Vice-President Adams, whom I had the privilege of entertaining in my home at Bilbao and I have met him since, but I do not know his opinions.

There are many others in the Senate that I know, although they have varying ideas, but even those most favorable to us will hesitate to be helpful to us when the time comes, in view of the favorable reports that come from the settlements on the Ohio and from those that they fear we have planned to establish.

On these principles I have decided my plan of action, restricting myself to few words and great sincerity.

After I have taken their measures, if I see that there is any possibility of our being able to reach an agreement in accordance with His Majesty's instructions, I shall be inspired to negotiate a treaty, leaving it pending until I can notify Your Excellency and receive the King's orders, but if I note that there is an attempt to delay matters, or that there are no signs of being able to secure what we desire, I shall take advantage of His Majesty's permission to absent myself which I believe might be advantageous.

I expect to have these doubts removed by July, so that, if His Majesty does not send orders to the contrary before that time, I shall sail for Spain.

Your Excellency will permit me to repeat the recommendation about restrictions on the commerce of these people with our possessions in favor of either our Treasury or our Navigation, for I consider it a measure of prime importance.

In the interest of the latter any restriction upon Fishing or grain will be advantageous, and without risk, because our vessels will be used if they are needed for the markets of Spain.

With this in view it occurs to me that the *Consulados*²⁷ might send each month a list of the prices of produce current in Spain, which we would have published in the daily papers, and it would contribute to greater consumption. This same measure seems much more important to me in our possessions in this hemisphere, for I am saddened by my recollections of the inefficiency of the merchants of Havana, and I believe that those in other ports are no better than they.

I should not like to offend anyone, but in my opinion they do not merit the name, and in comparison with those of other nations, are nothing more than common shopkeepers, without any more training in their profession than mechanical selling at retail of goods that are intrusted to them.

Also, there is usually the customary propensity to ruinous contraband trade, even by persons who should try to prevent it, so that, Your Excellency, even the training and preparation of those Merchants from whom other nations derive such advantages (especially in emergencies) must be done by the hand of the King.

I am sorry to confess to Your Excellency that my couriers did not arrive in time to detain the Vessel that was carrying the settlers to New Orleans, about which they will naturally complain, but I can conscientiously assure them that I would have avoided this if I had known it in time.

For a considerable time I have been without News from the Government of New Orleans, but although I have not believed the rumors that circulate here that the Governor there has opened the Mississippi River to navigation,²⁸ I have been placed in doubt by a letter from a well known and able person from North Carolina who wrote saying that Governor Miró has sent letters to the Settlements on the Cumberland inviting them to go down freely with their produce;²⁹ nevertheless I believe it is a mistake, or that if the report is Based on something, it is an exaggeration.

Be that as it may, he must have followed the King's orders, and I desire those orders even more to be able to conduct myself in accord with his commands, for in the meantime I am continuing, and will continue with the same tenacity to defend His Majesty's right [to close the Mississippi].

I should tire Your Excellency infinitely if I should take time to recount in detail the cause of a very dense Cloud which is forming in this State as a result of the factions for and against the new government; so I shall restrict myself to saying that certain persons have taken advantage of the occasion to work openly to defeat the present Governor (General Clynt-

²⁷The Spanish *consulados* were government-sponsored organizations of merchants, that combined the functions of a chamber of commerce and a tribunal for hearing commercial lawsuits. Those established in the colonies added the duties of departments of agriculture and public works, and in some cases the duties of a department of education. For the early Spanish *consulados* see R. S. Smith, *The Spanish Guild Merchant, a History of the Consulado, 1250-1700* (Durham, 1940). A short account of the *consulado* of Havana is found in D. C. Corbitt, *The Colonial Government of Cuba* (manuscript Ph.D. thesis in the University of North Carolina Library).

²⁸Gardqui had heard of Wilkinson's trading privileges in New Orleans. See installments IV and VII, *Publications*, No. 12 (1940), 102-109 and No. 15 (1943), 88-89.

²⁹See mention of this in Robertson to Miró, January 29, 1789 above. More details appear in Miró to Smith, September 15, 1789 and Miró to Robertson, September 16, 1789, A G. I., P. C., 2373, to be printed in *Publications*, No. 20.

ton)³⁰ in the election that will be held in April.

They write and speak to that end without the least reserve, notwithstanding everybody is just enough to say that the Governor has always proceeded with the greatest patriotism and military skill but is opposed to some articles of the new constitution and his enemies have used this to oust him. Nevertheless, his party is still strong and it is believed that the Elections may have results.

Such is the opposition between the Senate and the Assembly that after the two months that they have been in Session in Albany, they have not been able to agree on the Election of Senators for the new government, and I doubt that in the end they will.

The dispatch of this letter has been delayed by the Ice which has the port of Philadelphia closed, but since the weather has moderated I am sending it by one of the Clerks because I believe the port will open this week.

Having noted that the exportation of grain and flour has been immense, and fearing that this part of our crops has failed, I beg to inform Your Excellency that what has been sowed here promises an abundant harvest, and that the prices will be very moderate, about which it has seemed proper to inform you in case there is some emergency.

The French Minister has just asked me to send the enclosed card which he has written to Your Excellency in favor of Monsieur Tardiveau, from sending which it has not seemed well to me to beg to be excused. He explains his action mainly on the grounds of having the honor of knowing Your Excellency.

The Congress of the late Confederation has already died out to such an extent that it has not been able to meet (not even for a day) since November for lack of a quorum, so that there are no minutes or records of its having ceased to function, and there remains to the new Government an infinite amount of business that, according to the members themselves, should have been transacted before it ceased to exist, and there are many who have taken note of their carelessness and are complaining.

When I was on the point of closing this letter I noticed that the Newspaper contains a letter that it seems I should bring to Your Excellency's attention, because although its contents are enigmatical, and the appearance of hostility is contradictory in view of the insignificant forces concerned, I believe it might be used as a pretext for going to New Orleans to see the Governor.

Enclosed is a translation of a paper with the number on the margin [No. 5].

At this very moment a letter has arrived from a Friend of mine whom I have known as a Member of Congress from North Carolina,³¹ and a vigorous defender of the free navigation of the Mississippi with whom I have had a thousand debates.

I enclose a translation for Your Excellency so that you may see the rumors that are current in that country about the offers of Governor Miró (although they vary), all of which assert that he offers what they desire.

At the very moment that I was going to close and seal this communi-

³⁰George Clinton, governor of New York, 1777-1795, 1801-1804, and vice-president, 1805-1813.

³¹"Colonel" or "Doctor" James White.

cation there presented himself to me Major Dunn, whose papers I cannot read before the departure of the bearer because I would lose the opportunity of sending this letter.

In view of this fact it is necessary that I confine myself to saying that he [Major Dunn] assures me that the followers of his companion Wilkinson and himself are resolved on his plan to treat with us, but that it will require time and that precipitate action would spoil the results.

He says that Brown has been elected for this new government, that perhaps this circumstance will cause him to grow lukewarm toward the project he agreed upon, but that I should not doubt that country [Kentucky] will join us when matters mature, to which end he believes that it will help if the navigation of the Mississippi is not granted to these States.

He further says that which is cited by the newspaper is false because there are no boats other than those he sent with the knowledge of the Governor of New Orleans, and that General Wilkinson will come here at the beginning of summer.

I have a bulky communication from the latter the contents of which I shall report to Your Excellency as soon as I have read it and the other letter that he [Major Dunn] has brought, closing for the present as always at the disposition of your Excellency asking Heaven to preserve your life . . .

New York March 4, 1789.

Diego Gardoqui (signed)

Your Excellency will please pardon me for omitting Dunn's statement that the famous Connolly was so badly received in Kentucky that he had to leave and return to his place in Canada from which there is no doubt he was authorized to come.

His Excellency the Conde de Floridablanca.

Enclosure No. 1³²

Gazette of New York called Morning Post and Daily Advertiser of the 17 of February 1789.

Chapter from Alexandria, Virginia

January 22, 1789

By information received from Kentucky, we learn that many of the principal people of that district, are warmly in favor of a separation from the union, and contend that it is injurious to the interests of that country, to be connected with the Atlantic states. This idea, so pregnant with mischief to America, is said to be much cherished by the intelligence carried there by Mr. Brown, member of Congress — to this effect — that he had the strongest assurances from the Spanish Ambassador that, on such a declaration by the people of Kentucky, Spain would cede to them the free navigation of the Mississippi, and give them every support and encouragement in her power. Though this does not correspond with the opinion that has commonly been entertained of that minister, as to prudence, it is so serious in its consequences, to the peace and existence of the Atlantic states, as to deserve the immediate attention of Congress. If it be authentic, Mr. Brown has incurred high penalties for holding such a correspondence; and

³²This item, translated into Spanish, together with numbers 2, 3, 4, and 5, was enclosed in Gardoqui to Floridablanca, March 4, 1789, A. H. N., E., 3893. The editors have used the original paper, *New York Morning Post and Daily Advertiser*, February 17, 1789 (American Antiquarian Society, Worcester, Mass.), instead of a translation back into English of Gardoqui's translation into Spanish.

it is to be hoped, the Executive of this state, will consider it as a part of their duty to inquire into it.

Enclosure No. 2

Translation of a letter from Major Isaac B. Dunn to Don Diego de Gardoqui
Lexington in the District of Kentucky
December 17, 1788.

Sir:

When I had the honor to confer with you in New York, I informed you that the Document from which I might have communicated to you something important had been sent to my friends in this Country; but that as soon as I arrived here I would write you fully about the opinions and expectations of the Inhabitants of this District.

The exceedingly bad weather, and my poor health delayed my journey, and I arrived only on the 12th of this month.

The letter that you enclose to me for Mr. Brown I delivered personally.

I consulted with my friends about the Conference and it was decided that I should return to New York immediately with the reports that they promised; and if my health permitted at this moment I should anticipate the arrival of this letter.

Nevertheless I have every reason now to expect to be restored to health in a few days.

On January 1st I shall leave this Country, and proceed by the shortest road through the wilderness to New York, my only business being to communicate to you what I here report, of such great importance do I consider it to the felicity of this Country.

Mr. Brown, who writes upon this occasion, will send another confidential letter by me.

I doubt not that I shall be in New York by the 20th of January.

Since my sudden return from this Country to the Atlantic States, if it were divulged, would arouse some suspicion, I beg Your secrecy about the matter, and you shall be the only person whom I shall allow to see me; meanwhile I have the honor to be with the greatest respect . . . Isaac B. Dunn
Señor Don Diego de Gardoqui etc.

Gardoqui (signed)

Enclosure No. 3

Translation of a letters written by Mr. Thomas Hutchins to
Don Diego de Gardoqui
Pittsburgh 25 of January 1789.

Sir.

Colonel Morgan embarked from this Place on the 3rd of this Month, with 4 Boats, accompanied by Sixty Respectable Laborers, Artesans, and Children of Laborers, many of them Germans and Children of Germans, whose parents desire to settle in New Madrid under Colonel Morgan, as Vassals of Spain, as do all the others, if they like the Country, and are received in it.

Some of them have been sent by people in this region, and by organizations to examine the Country, Soil, Climate, etc., and if they like them, they are disposed to take certain Districts from Colonel Morgan, for their respective Settlements. Some for 50 families; others for a hundred; and others for more; especially those of New Jersey, whom Colonel Morgan prefers.

He has appointed Colonel Israel Shreeves³³ (whose Character you may learn from Colonel Knox) as the principal director of the Settlement from New Jersey; and Colonel Hays, and Peter Light Esquire, both Germans who have large Possessions, and good characters, and are also good workmen, as chief Directors of the German Settlement. If these and other persons who now accompany Colonel Morgan like the Country and Climate, His Majesty will, by Receiving them on these terms, draw from this Eastern Country almost all of its inhabitants who are desirable for Vassals, provided the Citizens of the United States are not granted the navigation of the Mississippi.

This enterprise of Colonel Morgan's has opened the eyes of the people and holds the attention of all.

If it had been advertised, many hundreds of families would have followed him next spring, but he has charged all persons to await his return.

If he had been disposed to do so he could have raised while here a Regiment of young Laborers, who were willing to become as faithful and good Vassals of Spain as those of the King's dominions, who would become the most interested and powerful defenders of the rights of His Majesty on the Mississippi, against any invader.

This (as Colonel Morgan justly observed) is the result of the liberality and generosity of the King in granting what You have proposed. These new Vassals do not need pecuniary assistance from the King — on the contrary all of them have already shown that they are willing to pay for their Lands the price proposed by Colonel Morgan, which will be sufficient to Compensate him and his family for the zealous and faithful fulfillment of the trust imposed on him by His Majesty.

It is unnecessary for me to say anything to you about his fidelity, prudence and ability. His Plan of Settlement, which he proposed to the people, is superior to any other that I have seen, and they like it immensely. Reservations of land have been made for the King, both in the Country and within the City, which in my opinion (if his regulations are adopted by the Governor of New Orleans), will be the largest City in America within twenty years, and will produce a great income for the King because of its consumption of Spanish products, and the produce which the inhabitants of this Country will be carrying shortly to the Mother Country.

Aside from these advantages there will be the very important one of the defense of West Florida and New Orleans in case of an attack by England in the future.

Also, the additional Provisions of Meat and Flour which the New Territory can furnish to the Fleets and Armies of the King, in the West India Islands, will assure the superiority of his arms in this respect = in a word, Sir, the more I reflect on this matter, the more I am convinced of the importance of guaranteeing Colonel Morgan a good reception in New Orleans. What he will need most will be a little money to pay his people for some months.

If you order that this be advanced in New Orleans, it will be more advantageous to him, and to the King's service, than to oblige him to extend his own personal credit.

³³Colonel Israel Shreve. See the biographical sketch of Henry Miller Shreve in *Dictionary of American Biography*, XVII, 133-134. He took with him to Missouri his little son, Henry Miller Shreve, who was destined to become one of the first, as well as one of the most famous, steamboat captains on the Mississippi.

It is only necessary that this be furnished to him as a loan, which (if You so command), I shall, as soon as it is given to him, assume responsibility for its payment.

Before my departure Colonel Morgan requested that I explain this to you, which I do with the greatest pleasure.

He will need a loan of at least 4,000 or 5,000 Pesos (according to his statement) for a year.

Colonel Morgan has formed a plan (which seems to me a good one) to attract Colonel Connolly to New Orleans next May, and to this end he has taken with him the Original letter in the handwriting of the said Connolly, of which the enclosed is a copy.

That individual is now in Kentucky to influence the people there in favor of his Plan, which is explained in the enclosed letter.

If you desire to give Colonel Morgan some private instructions about the matter, I shall send them to him by a safe Boat dispatched for this purpose.

In this way I have no doubt Connolly can be attracted to New Orleans, if you so desire.

Colonel Morgan was ashamed to inform you (although it is a fact) that Connolly's Original Letter cost him 750 Pesos, which he does not ask that you repay. Nevertheless, if you consider it important to ascertain the Intrigues and intentions of England in this area, I am sure that you will not allow him to suffer any loss.

I have told him so, and that I would mention the matter to you, so that you might, if you think best, give all, or the part of it that you choose, to the Bearer, his son, for the use of his family, who may need it during his absence.

In that case, you may inform Mrs. Morgan by writing her where it would come from.

The Enterprise of Colonel Morgan is much more costly than he at first proposed that it should be, but, Sir, it is working in the most perfect manner for his own interests and for the honor of the King and he hopes for his approval.

In a letter written to you under date of the [no date given] last, Colonel Morgan requested as a favor that you pay me the Six Hundred Dollars that I lent him: Since I am really in need of money, I shall thank you if you will send it to me in Gold by the bearer Mr. Morgan, on the condition that I become surety that Colonel Morgan repay it within a year, after he has full authority to carry out the King's will in New Madrid.

Since Mr. Morgan was present at the Treaty at Fort Harmar, and was entrusted with the dispatches about the matter to Congress, you will learn the complete outcome from General Knox, and others, because it is not being kept secret.

The resolutions of our New Government will have as a consequence one important result; but either Peace or War will almost equally promote the Settlement of New Madrid.

I expect to be in New York next May, and have the honor of seeing you there where I will inform you of my decision about my future location. . . .

=(signed) Thomas Hutchins = Señor Don Diego Gardoqui, Minister of His Catholic Majesty to the United States = New York etc.

Gardoqui (signed)

Enclosure No. 4

Translation of an Extract of a letter from Louisville (on the Waters of the Ohio) January 16, 1789

Our friend General W-K-s-n³⁴ has provided a small fleet for a second Expedition to New Orleans. It is comprised of 25 large Boats, some of which carry a three-pounder Cannon but all have swivels, and go manned by 150 strong and well armed men to insure its journey down the Ohio and the Mississippi to the Gulf of Mexico.

This is the first Armada that has every appeared on the Western Waters, and I assure you that the sight of this small squadron under the Flag of Kentucky, will provide food for thought about what this Country may some day expect from Commerce.

The Cargoes consist chiefly of tobacco, Flour, and provisions of all kinds, some of which have been stored in warehouses three or four years: and probably would have remained there, if the General by his indefatigable enterprise and genius had not opened the Ports, which had been closed too long.

Thoughtless people have criticized him unjustly for having monopolized the Commerce with Spain, but the most sincere spirits recognize that Kentucky owes to his sagacity the securing for its Citizens of a Market from which the jealousy of our neighbors excluded us many years ago.

Mr. B - - n,³⁵ our last agent, and a Spanish Gentleman, Son-in-law of the Governor of Louisiana, should accompany the General on this mercantile expedition (or political as some will have it). Our politicians seems to be silently watching the course of the Atlantic States, and waiting to hear the fate of Kentucky pronounced, or declared by Your New Congress.

Gardoqui (signed)

Enclosure No. 5

Translation of a Chapter of a Letter from Mr. Benjamin Hawkins³⁶ to Don Diego de Gardoqui — Written in Warren County (North Carolina) January 30, 1789

I have seen a Young man who recently arrived from Cumberland, who informs me that our Settlements in the West are very much disposed to cultivate a friendly Connection with the Spanish Settlements on the Mississippi; and that Governor Miró had written to those Military and Civil officers, giving permission for an amicable interchange of letters.

My informant was not very intelligent.

If you and the United States could reach an amicable adjustment of our respective claims in those parts, I have some thoughts of passing a season there; and I assure you that I would take great pleasure in being in some measure the instrument for cementing a sincere and lasting friendship between our Citizens and the Vassals of your Sovereign.

We must be neighbors on a large part of that River, and unless we are Friends it will be a mistaken policy to proceed unduly fast; and only time can tell what will be the guilty one.

Benjamin Hawkins — Señor Don Diego de Gardoqui.

Gardoqui (signed)

³⁴A poorly disguised "Wilkinson."

³⁵John Brown, the Kentucky representative in Congress.

³⁶Hawkins was senator from North Carolina from 1789 to 1795. He was superintendent of Indian affairs for the southern department, 1795-1811. *Georgia Historical Society's Collections*, Vols. III and IX; *Dictionary of American Biography*, VIII, 413-414.

SMITH TO MIRÓ, MARCH 11, 1789³⁷

Sir,

This will be delivered to you by Mr. Andrew Fago, ³⁸ a gentleman with whom I have had an acquaintance ever since the year 1785. It would be treating him with injustice if I did not acknowledge him to have very great merit. He seems desirous to commence a trade from Orleans to this country and I shall feel myself happy in his success. This Country has been much harrassed by the Savages; but would have been much more profitable trading to it. From the high idea he has of your humane disposition he thinks you would do everything you consistently could to restrain these savage incursions. I would not be supposed to entertain a thought you would deviate in the least from instructions, You may receive from the Court of Spain, But a Letter from Mons. Gardoque to Col. Robertson (an officer of this country) it appears plain his Catholic Majesty wishes us to have peace, and truly it endears him much to this country.

Mons. Fago had a Factor who imprudently and contrary to his principal's orders carried a boat load of Goods up the Tenasee River and traded with the Indians at open war with this country. On an expedition being carried from this Country against these Indians this factor unfortunately fell and his goods were taken much to the loss of Mr. Fago. I own it would be a singular pleasure to me, if he could be so successful as to recover that.

We have very great confidence in Mr. Fago and beg leave to refer your excellency to him for any particular intelligence.

We have honoured our district with Your Excellency's name From which I write, and I should look on myself as much honoured by a correspondence from you

Daniel Smith
Miro District, March 11, 1789

³⁷A.G.I., P.C., 196. See Miró to Smith, April 24, 1789, and Miró to Valdés, April 30, 1789, A.G.I., P.C., 2370, 177, to be printed in *Publications*, No. 20.

³⁸Lieutenant Antonio Fagot of the militia in St. Louis and a merchant of that city.

GEORGE W. CAMPBELL'S JOURNAL OF THE FRENCH SPOILIATIONS CLAIMS COMMISSION, 1832-1835

Edited by WEYMOUTH T. JORDAN

In the quarter of a century from 1806 to 1831 the governments of the United States and France were confronted with the solution of several unusually perplexing problems. In their endeavor to reach some successful agreement of their differences there developed one of the most complicated tangles in the diplomatic history of the United States. Before the matter was brought to a close the disputants verged on war, and armed conflict was actually averted possibly for two particular reasons, that is, the hard-fisted, blunt diplomacy (an innovation for the United States) of President Andrew Jackson and the exceedingly embarrassing turn which both domestic and continental affairs took for France in the 1830's. These matters are not of primary concern here, for they have been discussed adequately in another place.¹ The subject of this paper is confined to what is considered the most involved problem, aside from the question of commercial relations, that was up for settlement between France and the United States; namely, that of spoliation claims held by American citizens against France for belligerent depredations on American commerce committed by the French during the last decade of the Napoleonic Wars.²

The spoliations in question had occurred between 1806 and 1814, or in those years when Napoleon Bonaparte was attempting to enforce his Continental System, in the process of which a series of much discussed decrees had been issued ordering French sea captains and port officials to seize neutral ships and cargoes.³ As a result of the French decrees and also of the equally well-known British orders in council of the same period, American shipping interests had suffered severely. As far as the French aspect of the controversy is concerned, seizures continued until Napoleon's temporary overthrow in 1814. In that year, when the Bourbon dynasty returned to the French throne, American claims for French damages were presented for settlement. Following the Hundred Days the subject was pressed once more; and for the next two decades it was the problem of paramount significance in the diplomatic correspondence which passed between the United States and French governments.

¹See Richard Aubrey McLemore, *Franco-American Diplomatic Relations, 1816-1836* (University, Louisiana, 1941), *passim*.

²An account of the claims, their origin, of French counterclaims, of negotiations, of the signing of a treaty of settlement, and of other aspects of Franco-American differences may be found in John Bassett Moore, *History and Digest of the International Arbitrations to Which the United States Has Been a Party* (Washington, 1898), V, 4447-4485.

Until 1831 American ministers in Paris failed miserably in their efforts to solve any of the outstanding controversies with France. Finally, on July 4, 1831, William Cabell Rives,⁴ then minister from the United States to France, succeeded in drawing up a treaty providing both for the settlement of the spoliations and of the question of duties to be placed on certain goods (cotton to France and wines to the United States) shipped between the two countries involved.⁵ Financial arrangements specified in the treaty were: the United States should pay 1,500,000 francs to France for claims arising from commercial clauses of the treaty of cession of Louisiana (1803); and as indemnity for Napoleonic spoliations France should pay 25,000,000 francs to the United States. On its part, the United States undertook to distribute the 25,000,000 francs "Among those entitled, in the manner and according to the rules which it shall determine."⁶ Ratifications of the treaty were exchanged at Washington, February 2, 1832; the treaty was proclaimed, July 13, 1832; and on the latter date the United States Congress passed an act to execute the treaty.⁷

Included in the act was provision for the establishment of a commission to render decisions on petitions for awards and to adjudicate spoliation claims held by the Americans against France. In naming the three commissioners who were to perform this tremendous task, President Jackson acted as might be expected. Only staunch Democrats were appointed, two from the South, the third from Pennsylvania. Of the members, George Washington Campbell of Tennessee had had the widest political experience. In turn, he had been representative in Congress from Tennessee, member of the Tennessee supreme court of errors and appeals, United States senator from Tennessee, secretary of the treasury of the United States, senator again, and American minister to Russia. Moreover, he had been in Congress during the period when France had made its attacks upon American shipping. While occupying the position of chairman of the House Committee on Foreign Affairs he had submitted what became a famous *Report* to Congress, of November 22,

³ The important decrees were: Berlin (November, 1806); Milan (November 1807); Bayonne (April, 1808); Vienna (August, 1809); and the Rambouillet (March, 1810).

⁴ See Thomas P. Abernethy, "William Cabell Rives," in Allen Johnson and Dumas Malone (eds.), *Dictionary of American Biography* (New York, 1828-), XV, 635-637.

⁵ William M. Malloy (compiler), *Treaties, Conventions, International Acts, Protocols, and Agreements between the United States of America and Other Powers, 1776-1909* (Washington, 1910), I, 523. See also Hunter Miller (ed.), *Treaties and Other International Acts of the United States of America* (Washington, 1931-), III, 641-651.

⁶ *Ibid.*, 642.

⁷ *Ibid.*, 641; *Register of Debates*, 22 Cong., I Sess. (1831-1832), 1201; 4 *Statutes at Large*, 574-576.

1808, in the preparation of which he had made a special study of English and French seizures of American vessels and men between 1804 and 1808.⁸ Because of this *Report* and of other interests that he had developed in the same period while serving as chairman of the House Committee on Ways and Means, it seems unlikely that Jackson could have found a more suitable Democrat for membership on the commission. It is entirely possible that Campbell was as well acquainted with the details of the whole question of foreign attacks on American-owned vessels between 1804 and 1814 as any person in the United States at the time of the establishment of the French Spoliations Commission. Also of consideration in his selection was the fact that he and the President were friendly neighbors in Tennessee.⁹

John Kintzing Kane, a well-known lawyer of Philadelphia, was the other member of the commission who served throughout its sessions. In his early manhood he had supported the Federalist party but in 1828 had shifted his support to Jackson for the presidency. His appointment was most probably due to Jackson's wish to extend patronage to one of the senators from Pennsylvania.¹⁰ The third original member of the commission was Thomas W. Williams of Mississippi. He, however, served actively with Campbell and Kane only until March 5, 1833, his place being filled, on May 1, 1833, by Romulus Mitchell Saunders of North Carolina.¹¹ In Saunders' case as in Campbell's it seems that his appointment by Jackson was influenced to some extent by personal considerations. Although Saunders was a North Carolinian by birth he had, after attending the University of North Carolina, moved temporarily with his family to Tennessee and there had studied law under the famous Hugh Lawson White. By the time of his appointment to the commission he had returned to North Carolina and lived in or near the town of Milton where he practiced law during much of his life. Moreover, Saunders was by 1832 an experienced politician, having served both in the North Carolina house of commons and in the national House of Representatives.¹²

⁸ When the *Report* was made the House of Representatives had indicated its approval by ordering that five thousand copies be printed for distribution. For a copy of the *Report*, see *Annals of Congress*, 10 Cong., 2 Sess. (1808-1809), 514-521.

⁹ For immediately available accounts of Campbell, see Philip May Hamer, "George Washington Campbell," in *Dictionary of American Biography*, III, 452; and Weymouth J. Jordan, "The Public Career of George Washington Campbell," *East Tennessee Historical Society's Publications*, No. 10 (1938), 3-18, and his "The Private Interests and Activities of George Washington Campbell," *ibid.*, No. 13 (1941), 47-65.

¹⁰ John H. Frederick, "John Kintzing Kane," in *Dictionary of American Biography*, X, 257-258.

¹¹ Journal of the Claims Commission Under the Convention Between the United States and France, Concluded July 4, 1831 (Records of the Department of State, in the National Archives, Washington), June 10, 1833. Cited hereafter as *Official Journal*.

¹² J. G. de R. Hamilton, "Romulus Mitchell Saunders," in *Dictionary of American Biography*, XVI, 382-383.

Of the four men who were members of the commission it seems quite evident that Campbell and Saunders were most important both for their service on the commission and for accomplishments throughout their public careers. Although the Official Journal of the Claims Commission does not indicate precisely the part taken by each member in the deliberations of the agency, an examination of it has shown that Campbell more than the other members was conscientious in performing his duties. Only on rare occasions was he absent from the meetings. Of special significance, too, is the respect in which he was held by his colleagues as shown by their practice of postponing action whenever he failed to attend a scheduled meeting, this being the case especially during the later sessions of the commission. When he was present with one other member, however, business was conducted as if the entire membership were in session. Moreover, throughout the Official Journal Campbell's signature always appears first when the members approve the minutes of a day's business.¹³ Although it has been impossible to ascertain if a chairman of the commission was selected, all available evidence seems to indicate that Campbell served in that capacity.

From August, 1832, through December, 1835,¹⁴ the commission sat intermittently, holding all of its meetings in Washington. While in session it adjudicated a total of 3,148 claims based on 883 attacks against American shipping. Petitioners claimed damages amounting to \$51,834,170.15. After meticulously examining each petition the board concluded that 1,567 petitions involving 361 attacks were valid; and claimants were awarded the sum of \$9,-352,193.47.¹⁵

Campbell's description of the complicated decisions which had to be reached by the commission and the methods, as recorded by him, by which conclusions were arrived at serves as a profitable addition to the study of the history of American diplomacy and of international law. To the students of Tennessee history the Journal is of interest because it is the work of a leading, although little known, figure in the early political life of that state. Although in the first section of the Journal is included a statement that it was intended as a report to the Department of State, it later becomes apparent, in the last statement of the Journal, that the opinions included therein belonged to Campbell. The Journal is as follows and is presented

¹³ Official Journal, *passim*.

¹⁴ *Ibid.*

¹⁵ Report of the Board of Commissioners Organized Under the Convention Between the United States and France, . . . Concluded July 4, 1831 (Records of the Department of State, in the National Archives, Washington).

here in its original form:¹⁶

Report of the Commissioners, under the law to carry into effect the Convention between the United States & the King of the French, entered into on the 4th July 1831 — to the Department of State.

The undersigned, commissioners appointed under the act of Congress of 13 July 1832, to carry into effect the convention between the United States & the King of the French, concluded on the 4th day of July 1831, having brought to a close the duties assigned them, now present to the Department of State, a brief account of their proceedings, in the following Report.

Owing to the shortness of the time from the appointment of the undersigned, as commissioners, which took place on the 14th day of July 1832, to the day fixed for them to meet, as a Board at Washington, being the first Monday in August following, one only of them received notice of his appointment in time to enable him to attend on that day. He was duly qualified as the law directs, as were also John E. Frost, — appointed Secretary & [?] Wheeler, appointed clerk to the commission, and the Board opened; and having ascertained that the other commissioners, in consequence of the distance of their respective residences, could not attend, after receiving notice of their appointments, at an earlier day, the meeting of the Board was adjourned to the third Monday of Sept. following. On that day all the members of the Commission attended, at Washington, and the two, who had not previously attended, being duly qualified, as the law directs, a full Board was forthwith organized, and immediately entered on the discharge of the duties assigned it, by adopting Such rules, & making Such orders, as appeared best calculated to regulate the proceedings of the commission in carrying into effect the objects for which it was established. For this purpose it ordered, (1) — That all persons having claims under the convention between the United States & the King of the French, concluded on the 4 July 1831 Should file memorials of the Same with the Secretary of the Commission, in order that they might be examined & their validity & amount determined, according to Such evidence respecting the Same, as might thought [to] be considered necessary, & be required. 2 — That every memorial So filed Should be addressed to the commission & Should Set forth minutely & particularly the facts & circumstances, whence the right to prefer Such claim was derived to the claimant or claimants, and that it Should be verified by his or their affidavit. And in order that claimants might be apprized of what the Board then considered necessary to be averred in every Such memorial before the Same would be received & acted upon, a particular description was given of the facts & averments which Should be Set forth in every Such memorial, in order to its being received for examination on its merits.

These orders were directed to be published in the papers authorized to publish the laws of the U. States for the purpose of giving notice thereof to all persons who might be interested in those claims. And that time might be allowed the claimants to prepare & file their memorials as was directed, the Board, having made these orders, and there being no other business before it, to be acted on, adjourned on the 18th Sept. to meet again in Decr. following.

On the 17 Decr. 1832, the Board met pursuant to its adjournment & proceeded with the business ready to be acted on. It appeared that [?] memorials

¹⁶G. W. Campbell, *Journal of the French Spoliations Claims Commission*, in George Washington Campbell Papers (Manuscripts Division, Library of Congress, Washington).

had been filed with the Secretary, under the rules it had adopted. All these, as well as Such others as were filed during this Session, making in all 751, were examined, considered and disposed of in Such manner, as to the Board, Seemed correct; and Such other matters as were brought before it were also duly considered and disposed of.—

The Board then proceeded to prescribe the mode in which proofs should be adduced to Support Such memorials as had been or Should be received for examination & decision on their merits; and the times at which the Same might take place; and it was ordered that the memorials that had then been received, by the Board, Should be Set down, at the expiration of Six months from the date of Said order for examination on the proofs filed with the Secretary previous to that time, in Support of them; and that all memorials that Should thereafter be received, by the Board, Should be Set down for examination — and decision in like manner at the expiration of Six months from the date of their reception; but that if any claimant wished his memorial Set down, for the above purpose, at an earlier day, it might be done at any time, upon application made to the Board for that purpose; and that if any claimant could Shew good cause, why his memorial Should not be Set down for examination & decision at the expiration of Said Six months, upon application & Such cause Shewn to the Board, further time would be allowed him for that purpose.

The Board having during this Session Suspended its decision as to Some memorials, which had been filed, in order to allow itself time for considering more deliberately and maturily [*sic*], the Several difficult & important questions growing out of them; it was determined on the application of the memorialists by their agents, that arguments would be received on Such questions, provided the Same were in writing, and it was then ordered that the argument in each case, which had been Suspended, be filed with the Secretary on or before the 10th of June following; and that in the case of every memorial that Should thereafter be received, in which the claimant intended to submit an argument, Such argument Should be filed with the Secretary before or on the day his memorial Should be Set down for consideration. It was further ordered, that all persons having claims to present,—memorials of which had not been filed; or which being filed, had not been received by the Board, by reason of defects in the Same, Should file memorials of their Said claims, with the Secretary, on or before the 10th day of June following; after which day no new memorials would be received unless on good cause Shewn why the Same had not been filed as before required; and the Said memorials to be filed, were required to be prepared and verified, in accordance with the previous orders of the Board, and that time might be allowed claimants to prepare & file their memorials as had been directed—procure their proofs & prepare their cases for examination, it was ordered that when the Board Should adjourn, it would be to meet again on the 10th of June next ensuing; at which time it would proceed to examine, & decide on Such memorials as might be filed with the Secretary previous to that day, and then the Board, on the 5th day of March 1833, adjourned to the Said 10th day of June following.

On the 10th day of June 1833, the Commission convened again, pursuant to its adjournment & proceeded to discharge the business that had been prepared for its action. It found that [?] memorials had been filed with the Secretary, in conformity to its previous orders, Since its adjournment. All these memorials as well as Such others as were filed thereafter, during the

Session amounting to 1314 were examined considered & disposed of in Such manner as to the Board appeared correct; Such other matters as were brought before it relating to the business thereof, were also considered & disposed of; and the Board having no other business before it, adjourned on the 13 day of July 1833 — to meet in October following.

Previous to adjourning the Board made an order allowing claimants further time to file memorials of their claims until its next meeting; and also ordered that memorials thereafter received, Should be Set down for examination & decision on their merits at the expiration of three months from the date of their reception, or Sooner if the memorialist wished it; and also that upon application of any claimant & good cause Shewn further time would be allowed him to prepare his case for Such examination & decision provided the time limited by law for the performance of the duties of the Board Should permit it; and these orders were directed to be published for the information of all whom they concerned.

On the 21st Oct 1833 the Commission again met pursuant to adjournment; and found that [?] memorials had been filed during its recess; which as well as those filed during this Session being, in all, 556, were examined & disposed of in Such manner as the Board thought correct; and also 230 memorials which were prepared for hearing on their merits were examined with the proofs filed in Support of them & decided upon, or otherwise disposed of as justice Seemed to require and having thus disposed of all the business before it ready to be acted on, the Board, on the 19th of Febry 1834, adjourned to the first Monday of May following.

[Editor's Note:—pages 5 through 8 of Campbell's Journal are missing. The Official Journal states, however, that the commission reconvened on May 5. During the session, which lasted until June 26, 1834, there was little business on hand to conduct; and although the members came together every day they adjourned on twenty-nine days because of a lack of memorials to examine. Only 171 new petitions were received. From October 27, 1834, to July 2, 1835, the board was in session again. New memorials numbered 256, and many petitions earlier rejected were reheard and declared valid. From October 5 through December 31, 1835, the commission held its final session. Although 127 new petitions were presented, the board members consumed most of their time in determining the amount of award each claimant was to receive. Each valid claim was awarded a payment, although by no means as large as requested by the claimants. Campbell's Journal, as follows, describes the general principals on which the commissioners based their final actions.]¹⁷

Each of these modes of estimating the amount to be allowed was advocated and Supported by ingenious arguments, which the commission examined and considered with the attention to which they were entitled; — and after viewing the Subject in all the lights in which it was presented, and

¹⁷ Official Journal, May 5-June 26, 1834; October 27, 1834-July 2, 1835; October 5-December 31, 1835.

which appeared calculated to enable them to arrive at correct conclusions, they were induced to adopt & act on the following principles: that is, to regard the fund provided by the convention as designed only to indemnify claimants for actual losses Sustained, (which it is presumed, must have been the object of those who framed it)—which are to be ascertained, according to “principles of equity & justice” as prescribed in the law under which they act; and not to pay for the loss of expected profits, which might never have been realized and in pursuance of this view, to consider the original cost of the property lost as the ground upon which to estimate the actual loss Sustained. The Board has therefore, to carry these principles into effect, adopted as a general rule, that of taking up the voyage at its commencement & allowing the value of the vessel & cargo, at that time, or at the time of capture or Seizure, according to circumstances; - adopting the former when no circumstances occurred to change materially the value of either from the commencement of the voyage, until capture, Seizure or loss; and the latter when Such circumstance did occur. In cases where the vessel had arrived at her port of destination & the cargo had been landed before Seizure, the fair market price of Such cargo, the place and time of Seizure, when the Same could be Satisfactorily ascertained, was taken as the basis upon which to estimate the amount to be allowed as indemnity for Such cargo, and the price of the vessel, having completed her voyage, at the place & time of her Seizure, was taken as that by which to estimate the amount to be allowed for her; deducting from these amounts, the duties the goods would have had to pay, had they been Sold, and the port-charges & other expenses to which the vessel would have been liable if Sold. To the value allowed for the vessel two thirds of a fair or usual freight, for the passage or voyage in which the loss occurred, were allowed - to cover the payment of wages & Sustenance of the officers & crew; a fair premium of Insurance for the risk of Such passage or voyage was allowed on each of these insurable interests, except the vessel, - on which, it was decided no premium Should be allowed; and the costs & expenses incurred in defending their rights, were allowed to all claimants, who paid the Same, & produced evidence from which the Same So paid could be reasonably ascertained.

This mode of estimating the amount of loss to be indemnified was generally pursued; though in Some cases it became necessary to resort to different principles of adjustment, but analogous to those Stated, & calculated to effect [*sic*] justice; and modifying the Same to Suit the facts in each particular case. When the vessel was illegally detained, a reasonable Sum was allowed per month, in place of demurrage to cover the pay & Subsistence of the crew, during Such detention, and the deterioration of the vessel, (but not including compensation for her use or hire) -

In making up these estimates of the amounts of indemnity, interest was not calculated thereon, as it appeared evident to the Board, at an early Stage of the business, the whole amount of the awards to be made would, without interest, greatly exceed the fund provided by the convention for their payments; and it was believed that by omitting to add interest to the amount awarded as indemnity, little or no injustice would be done to any, or at most to very few of the claimants.

In the late recess & before the final close of the business of the Commission [?] new memorials were filed, making with those previously filed 3148; all of which have been acted on, and finally adjusted, and of these 1567 only were allowed as valid. The number of vessels for which claims have been

filed for indemnity on account of Seizures, captures, distruction [sic] or other injury to them or their cargoes amounted to 883, including a few cases of Seizures, not from vessels. Of these only 361 were allowed as valid - The remaining 522 - were not allowed in consequence of the proofs being defective; or because the ground Stated & Shown for the capture, Seizure or other injury complained of appeared Such as to authorize the acts done.

Claims were filed & proofs presented on them & on cases previously examined & disallowed, & the Board pressed to act on & examine the former, and to rehear the latter, to the very last days of the existence of the commission. The undersigned anxious that equal justice Should be done to all entitled to indemnity under the Treaty, which they were carrying into effect, used all the means in their power during the time allowed for the completion of the business to enable claimants to establish their rights; but notwithstanding all their exertions & the indulgence So frequently allowed claimants to procure their proofs, it is possible that Some just & honest claims may have been lost for want of the parties being able to produce the requisite proofs to establish the facts in their cases, owing to the great lapse of time, the death of witness, & the loss of records and other important papers.

The undersigned felt it a duty to give Some account, though it Should be brief, of the manner in which they have executed the trust reposed in them, by presenting the foregoing Summary of their proceedings & referring to leading general principles by which they have been governed in conducting the business. To State the grounds, or reasons of their decision in each particular case, considering the number, would be impracticable, on account of the labour & time it would require: this was not, therefore, attempted; even in the journal kept by them of their proceedings.

The classes of cases on which the Commission had to act were very numerous; and involved questions of the most novel, delicate & difficult nature. In determining these the undersigned felt themselves bound to consider the law of nations as their guide, & to regard all acts done in clear violation thereof, to the property of American citizens, under the authority of the French government, as falling within the discription [sic] of injuries for which indemnity was provided by the convention with that nation; and this, notwithstanding Such acts might have been done under the presumed authority of Special decrees of the government or its agents. Under this view of the Subject the Board considered the French Decrees, termed the Berlin, Milan, Rambouillet, & others of the like kind, So far as they authorized acts to be done injurious to neutral rights, contrary to & in violation of the law of nations, as recognized & practiced by civilized States, to be null & void & affording no legal Sanction to acts under them; as it is not competent to any State to alter the Said law, by adding to or detracting from it, or interpolating new principles into it. Condemnations, therefore of American property by French tribunals, avowedly under Such parts of Said decrees, as above discribed [sic] were considered by the Board as made without legal authority or competent jurisdiction & therefore illegal & void; and the captures, Seizures & other acts injurious to the rights of American citizens upon which they were made, remaining in the Same condition as if they had not taken place, as to the rights of the parties. On the other Side the Board considered Such provisions of Said Decrees as were municipal in

their character, designed to operate within the jurisdiction of the government enacting them, & in accordance with the public law, as binding on other States, and the condemnations fairly made by competent Tribunals for actual violations of them as binding the rights of the parties.

In examining the proceedings of the French Tribunals, the commission has regarded their decisions with due respect, & viewed the facts & evidence, Stated, as the grounds of them, generally, as true, unless opposed by clear proofs; & the decisions as binding the rights of the parties, excepting only in Such cases as above described, in which they appeared to have been founded on decrees, principles, or doctrines, not Sanctioned by public law.

The Board well knew, that generally, the decisions of the Judicial Tribunals, or courts of every State, while they remain unreversed are considered as Settling the rights of the parties in the cases in which they are rendered but in the present cases the rule cannot apply, universally, if indeed generally; for as decisions of condemnations had been rendered, by the French courts in most of the cases of capture, Seizure, distruction [*sic*] etc. of American property for which indemnity has been claimed, the convention under which the undersigned act, must have been entered into, on the assumption that many of Such decisions, at least, were erroneous [*sic*], and to be considered as void; and on that account the French government bound to indemnify the parties injured by them. It became therefore incumbent on the Board to inquire into their validity.

A very numerous class of cases brought before the Board consisted of claims for captures, Seizures etc. made of vessels,—goods and other property engaged in the trade carried on with the Island of Hispaniola subsequent to 1800;—the black inhabitants of which were, at the time, in a State of revolt with the parent country. These captures, Seizures etc. were generally made under the authority, & for the violation of arretés or decrees, issued from time to time by either the French government itself, or by its generals or other officers commanding in Said Island, interdicting the trade with certain ports or parts thereof. These claims were pressed with great earnestness and ability, and the legality of the trade Strongly insisted upon, on the grounds, among others, that the Island had become independent; and that most of the decrees in question were issued without competent authority. The Board however, after carefully persuing the Several able & ingenious arguments presented in Support of them, & giving the Subject the most mature consideration felt itself bound to disallow most of the claims. It appeared to the undersigned that according to the acknowledged principles of public law the Islands, notwithstanding the revolt of the blacks must be considered as in its original condition, a dependence of France and Subject to her laws & decrees until its independence was acknowledged by the parent State or recognized by the United States; and it also appeared to them that the decrees issued by the generals or other officers appointed by the parent State for that Island & commanding therein, interdicting or regulating the foreign trade therewith, had the Same force as if issued by the French government itself; and So far as they established municipal regulations only, which did not conflict with national law, they were binding on other States, & their citizens, or Subjects, and that the violation of them furnished a legal ground for capture or Seizure & condemnation. The Board therefore determined that claims preferred for captures, Seizures & condemnations, or distruction [*sic*] of property on account of violations of those decrees, where

Such violations were proved by competent testimony, could not be allowed. On this ground claims preferred for losses Sustained by captures, Seizures & condemnations or distruction [sic] of vessels & property, actually engaged in trading with prohibited ports of Said Island, after due publication of Said decrees, were disallowed; but captures or Seizures of vessels or property destined to ports that remained open to foreign trade were considered illegal, & claims for Such were, when the proof was Sufficient, allowed.—

After the passage of the act of Congress of 1806, interdicting all commerce with Such ports of Said Island as were not in possession of the French, all trade carried on with Such ports was considered, of course, illegal; and claims, preferred for captures & Seizures & condemnations of vessels & property ingaged [sic] in Such trade, were not allowed. Very few Such, however, were brought before the Board.

Various other classes of claims, though less numerous, presented questions of Some difficulty. Among these was that including claims for losses Sustained on goods imported into the Dominions of Denmark in 1809 & 1810, and by ordinances of his Danish Majesty, exported from them, by their owners or consignees under the penalty of confiscation, to Hamburg; where under a French Tariff then in force there, a Sum equal to two thirds of the value of the goods or articles was exacted, under the name of duties; or two thirds of the goods & other articles in kind; which in Some instances, with the costs & charges, the owners were compelled to pay, exceeded the entire proceeds of Such goods & other articles. Those claims were preferred & pressed, on the ground that these exactions amounted in substance, to confiscation; and that there was a combination between France & Denmark to have this property forced from the Danish dominions, by Danish ordinances into Hamburg, to be there Subjected to those exorbitant duties. The undersigned examined the facts in this class of cases—the French Decrees & Danish ordinances, and the arguments urged in Support of the claims, with much care & attention; and though there is little doubt the Danish ordinances forcing these goods into Hamburg, to avoid confiscation, were adopted under French influence; which indeed is avowed in Some of them by his Danish Majesty; and though great injustice, was, no doubt done by both those governments, in bringing about the exaction of those exorbitant duties; yet as the French Tariff was established at Hamburg & made public before these Danish ordinances were adopted,—as the French government had a right to establish it; & as it does not appear that it used any violent measures to produce those ordinances, or in having the goods transported to Hamburg; and as Denmark must be considered an independent State, and alone responsible for her own acts, it was not perceived upon what ground the French government could be made legally liable to indemnify the claimants for the losses they may have Sustained. These claims, were, therefore not allowed.—

In deciding on the Several classes of claims, as well as on the merits of the individual claims, the commission has acted on the general principle of considering none as valid except Such as the French government ought in justice & equity to have Satisfied, if the convention in question had never been entered into.

In concluding this brief account of their proceedings, the undersigned would refer to the Several books, containing the progress & result of their labors, which will be presented with this to the State Department, and are of the following discription [sic].

The first marked A.

Note—The books containing list of claims filed, examined, acted upon & finally disposed of—the Same, & described as in the Report, made & forwarded to the State Department—and also entered on Journal of proceedings. The foregoing prepared by the undersigned, and believed to be correct—but not acted upon by the other members of the Board—G. W. Campbell—1836 Jany 1st—

DEATH NOTICES, 1791-1813, FROM KNOXVILLE NEWSPAPERS AND SEVIER'S DIARY*

Compiled by
POLLYANNA CREEKMORE AND LAURA E. LUTTRELL

- Abongpohigo, Creek Indian; executed at Knoxville for the murder of John Ish. [KG 7-31-1794]
- Alexander, William, Sr., aged 64; at Rogersville, Mar. 12, 1808. [WKG 3-23-1808]
- Armstrong, James, aged 77; native of Ireland; a trooper in Germany, 1761; a citizen of Knox County thirteen years. Sept. 28, 1813. [WKG 10-4-1813]
- Armstrong, John, aged 29; Lt. in the U. S. Rifle Regiment at Hiwassee garrison. Oct. 27, 1812. [WKG 10-28-1812]
- Baker, Mrs. (widow) and children; killed by Indians in Mero District. Aug. 21, 1793. [KG 9-14-1793]
- Balch, Rev. Hezekiah, D.D., president of Greeneville College. Feb. 12, 1810. [WKG 6-23-1810]
- Ball, Nicholas; killed by Indians near Well's Station. Dec. 23, 1793. [KG 1-2-1794]
- Barron, Commodore Samuel; lately at Norfolk. [WKG 11-24-1810]
- Bartlett, William; killed by Indians in Mero District. June 4, 1793. [KG 8-13-1793]
- Bean, Robert, of Hawkins County; a soldier. Lately. [KG 6-1-1793]
- Benton, John; killed by Indians in Mero District. Apr. 18, 1793. [KG 5-18-1793]
- Betty, daughter of Kittakiska, a Cherokee; killed at Hanging Maw's. June 12, 1793. [KG 6-15-1793]
- Bigtree, a chief of the Five Nations; in April, 1792, in Philadelphia. [KG 6-16-1792]
- Black, -----, a soldier of Lt. Tedford's Rangers; killed by Indians. Aug. 8, 1793. [KG 8-27-1793]
- Black Fish, of Chota; killed at Ebenezer Byrom's house about eight miles from Knoxville in Grassy Valley. [KG 12-1-1792]
- Black Fox, Cherokee chief. July 16, 1811. [WKG 8-12-1811]

* The newspapers (or photostats) from which these abstracts were made are: *Knoxville Gazette* (represented KG), November 5, 1791-July 31, 1795, October 2, November 20, December 4, 18, 1795, January 19, February 17, March 16, May 2, July 18, August 1, November 7, 14, 21, 28, December 12, 19, 26, 1796, January 2-June 19, 1797, March 16, 1803, and October 31, 1803, August 15, 1804, November 13, 1805, October 19, 1806, November 13, 1807; and *Wilson's Knoxville Gazette* (represented WKG), January 3, September 5, 1807, January 6, 1808-June 3, 1811, August 12, 1811-November 15, 1813. A few items were taken from "John Sevier's Diary," in S. G. Heiskell, *Andrew Jackson and Early Tennessee History*, Second edition, 2 vols. (Nashville, 1920), II, 503-614. It is of interest to note the small number of persons reported as dying of natural causes, especially before 1800. Marriage notices for the same period were printed in *Publications*, No. 11 (1939).

- Blackburn, William, a soldier; killed by Indians at Ft. Grainger. Aug. 14, 1794. [KG 8-25-1794]
- Blair, Lt. Col. John, of Hawkins County. May 14, 1793. [KG 6-1-1793]
- Bledsoe, Anthony, son of Col. Anthony Bledsoe, and Anthony Bledsoe, son of Col. Isaac Bledsoe; killed by Indians in Sumner County. Apr. 21, 1794. [KG 4-24-94]
- Bledsoe, Col. Isaac; killed by Indians in Sumner County. Apr. 9, 1793. [KG 5-18-1793]
- Bledsoe, Thomas, son of Col. Anthony Bledsoe; killed by Indians in Mero District. Oct. 2, 1794. [KG 10-11-1794]
- Blount, Jacob Tennessee, aged 18, son of Gov. William Blount; at Williamsburg, Va. Oct. 24, 1808. [WKG 11-23-1808]
- Blount, Major General Thomas, aged 54; congressman from North Carolina, in Washington City. Feb. 7, 1812. [WKG 5-9-1812]
- Blount, William [Gov. of Southwest Ty.] Mar. 21, 1800. [Sevier's Diary]
- Bratton, Charles; killed by Indians in Sumner County. Mar. 20, 1794. [KG 4-24-1794]
- Brigance, Robert; killed by Indians in Sumner County. [KG 9-10-1794]
- Brown, John; killed by Indians near Nashville. Dec. 20, 1794. [KG 1-9-1795]
- Brown, Mary Traver, aged 66; at residence on Emory River. Sept. 28, 1810. Had several children. [WKG 10-6-1810]
- Brown, Moses; killed by Indians near Nashville. May 16, 1793. [KG 6-15-1793]
- Burnel, ———; killed by Indians on trace from Kentucky to Dripping Springs. Jan. 22, 1793. [KG 2-23-1793]
- Cain, Mrs. Rachel, wife of Thomas Cain. Apr. 3, 1813. [WKG 4-5-1813]
- Caldwell, Robert, of Abingdon, Va.; drowned near Dandridge. Nov. 1, 1794. [KG 11-29-1794]
- Campbell, David, aged 64; one of the judges of the Miss. Ty.; at Washington, Rhea County, Tenn. Nov. 21, 1812. [WKG 11-30-1812]
- Campbell, Mrs. Mary, aged 24; consort of Andrew Campbell, merchant. Died at Rogersville. June 11, 1809. Had two children. [WKG 6-24-1809]
- Campbell, Capt. Patrick, of Knoxville. Sept. 28, 1811. [WKG 9-30-1811]
- Campbell, Capt. William, of Carter County; drowned in Watauga River. Nov. 23, 1810. [WKG 12-15-1810]
- Carrick, Rev. Samuel, president of East Tennessee College. Aug. 18, 1809. [WKG 8-19-1809]
- Carrington, Col. Edward, a revolutionary officer; died lately at Richmond. [WKG 11-24-1810]
- Caruthers, Ezekiel; killed by Indians in Mero District. [KG 3-13-1794]
- Caskins, Melachiah; killed by Indians on Cumberland River. Jan. 24, 1793. [KG 2-23-1793]
- Casteel, William, wife and four children; killed by Indians on French Broad. Apr. 22, 1794. [KG 4-24-1794]
- Castleman, Jacob, Joseph and William; killed by Indians in Mero District. July 1, 1793. [KG 8-13-1793]
- Cavet, Alexander and family (13 persons); killed by Indians, near Knoxville. Sept. 25, 1793. [KG 10-12-1793]
- Chambers, ———; killed by Indians near Nashville. Sept. 15, 1794. [KG 10-11-1794]

- Chambers, Capt. William; died lately at Staunton. [WKG 2-5-1810]
- Chapman, Mrs. Margaret, aged 80, relict of Thomas Chapman, of Knox County. Mar. 16, 1809. [WKG 3-22-1809]
- Cheetaam, James, editor of the *American Citizen*; died at Bloomingdale, N. Y. Sept. 19, 1810. [WKG 10-13-1810]
- Chew, Col. Samuel T., of Maryland; killed by Indians on Ohio River. May 29, 1795. [KG 6-5-1795]
- Chilhowee Jem. Aug. 7, 1793. [KG 8-13-1793]
- Clack, William; killed by Indians near Emory River. May 17, 1792. [KG 6-2-1792]
- Clements, -----; killed by Indians. Mar. 18, 1793. [KG 3-23-1793]
- Clinton, George, vice-president of U. S. Apr. 20, 1812. [Sevier's Diary]
- Cloyd, Mrs. and two children; killed by Indians in Greene County. June 29, 1793. [KG 7-13-1793]
- Colquhoun, John, of Richmond; died lately in Sullivan County. [KG 1-16-1794]
- Conway, Col. Henry, a revolutionary hero; died at his seat in Greene County. [WKG 9-28-1812]
- Conway, Capt. Thomas, of Greene County. Jan. 27, 1793. [KG 2-9-1793]
- Cook, James, Sr., of Blount County. Apr. 19, 1811. [WKG 4-29-1811]
- Cosson, Rev. John, aged 68; at his home in Washington County. Sept. 30, 1811. [WKG 11-18-1811]
- Covington, John; killed by Indians. Nov. 12, 1794. [KG 11-29-1794]
- Cox, Mrs. Mary, wife of William Cox; died in Jefferson County. Apr. 12, 1794. [KG 4-24-1794]
- Craighead, Mrs. Hannah, aged 61; wife of Robert Craighead of Knoxville. Oct. 11, 1813. [WKG 10-18-1813]
- Crockett, Mrs. and eight children; killed by Indians. [KG 12-29-1792 and 1-12-1793]
- Crow, David; killed by Indians on Cumberland River. Jan. 24, 1793. [KG 2-23-1793]
- Cunningham, -----; killed by Indians near Dandridge. Oct. 2, 1793. [KG 10-12-1793]
- Cunningham, Jonathan; killed by Indians near McTeer's Station. Aug. 7, 1793. [KG 8-13-1793]
- Cunningham, Paul, a soldier; killed by Creeks near Crab Orchard. Aug. 13, 1794. [KG 8-25-1794]
- Dardis, Thomas, attorney at law. Aug. 23, 1809. [WKG 8-25-1809]
- Davis, Mrs., wife of Nathaniel Davis, Washington County. Dec. 9, 1795. [Sevier's Diary]
- Davis, James; killed by Indians in Mero District. [KG 3-13-1794]
- Dawson, -----, from Maryland; killed by Indians in Ky. [KG 9-6-1794]
- Dier, John; killed by Indians in Mero District. Dec. 1793. [KG 2-27-1794]
- Diven, Mrs. Rosannah, consort of John Diven, late of Winchester, Va.; died near Knoxville, Aug. 16, 1811. [WKG 9-2-1811]
- Doak, Mary Weakly, daughter of Capt. Samuel Doak. Jan. 22, 1795. [KG 2-3-1795]
- Doublehead, Cherokee chief; killed in 1807. [WKG 8-3-1808]
- Dowdey, -----; killed by Indians in Tennessee County. Apr. 11, 1793. [KG 5-18-1793]

- Edwards, John; killed by Indians in Mero District. Apr. 26, 1795. [KG 5-22-1795]
- Evans, Jacob; killed by Indians in Mero District. [KG 3-13-1794]
- Ferguson, James; killed by Indians near Craig Station. Mar. 9, 1794. [KG 5-13-1794]
- Flennikin, William, a soldier; killed by Creeks near Crab Orchard. Aug. 13, 1794. [KG 8-25-1794]
- Flenor, Adam; killed by Indians in Mero District. June 4, 1793. [KG 8-15-1793]
- Fool Charley, one of the chiefs of Hightower; killed at Hanging Maw's June 12, 1793. [KG 6-15-1793]
- Formwalt, Adam, of Kingston. June 18, 1810. [WKG 6-23-1810]
- Forsyth, Major; killed in Wilkes County, Ga. In Feb. 1794. [KG 3-13-1794]
- Foster, Mrs.; killed by Indians in Jefferson County. Dec. 22, 1792. [KG 12-29-1792]
- Gamble, Jane, aged 31, of this place. July 11, 1810. [WKG 7-14-1810 and *Western Centinel*, 7-14-1810]
- Gambrell, -----; killed by Indians in Mero District. Apr. 26, 1793. [KG 5-18-1793]
- Gear, Mrs.; killed by Indians near Nashville. June 11, 1794. [KG 7-3-1794]
- Gentry, John; killed by Indians in Mero District. Jan. 31, 1797. [KG 2-13-1797]
- Gillespie, -----; killed by Indians near Knoxville. Sept. 12, 1792. [KG 10-6-1792]
- Gillespie, George, Sr.; died lately in Washington County. [KG 1-2-1793]
- Gilliam (Gillum), Thomas and his son James; killed by Indians on Bull Run, near Holmark's Station. May 25, 1793. [KG 6-1 & 6-15-1793]
- Givins, Mrs. Jane, wife of Capt. Samuel Givins of this county. Apr. 16, 1809. Had four children. [WKG 4-29-1809]
- Gower, -----; killed by Indians at Hickman's Station. About Jan. 15, 1792. [KG 2-9-1793]
- Granger [Grainger?], Mrs.; Mar. 9, 1800. [Sevier's Diary]
- Greaves, Peter; killed by Indians near Sharp's Station. Nov. 28, 1794. [KG 12-13-1794]
- Green. A son and two daughters of Joshua Green; died June 29, 1795. [Sevier's Diary]
- Green, William, a soldier of the 12th company, 3d Sub Legion, U. S. A.; died at the Blockhouse at the mouth of Town Creek. Apr. 3, 1794. [KG 4-10-1794]
- Greene, Adam; killed by Indians at Gap of Powell's Mountain. Mar. 30, 1793. [KG 4-20-1793]
- Greer, Col. Alexander; died Feb. 1810 in Bedford County. [WKG 3-10-1810]
- Grimes, -----; nephew of Gen. James Robertson; died on Cumberland River in Jan. 1794. [KG 7-17-1794]
- Grimes, William, nephew of Gen. Mebane, congressman from North Carolina; killed by Indians near Nashville. Dec. 20, 1794. [KG 1-9-1795]
- Hacker, John; killed in Mero District. May 20, 1793. [KG 8-13-1793]
- Haggard, Rev., Baptist minister; killed by Indians on road from Kentucky. Mar. 12, 1794. [KG 3-27-1794]

- Haggard, John; killed by Indians near Nashville. Dec. 29, 1792. His wife killed last summer. [KG 1-12-1793]
- Haines, William; killed by Indians in Sumner County. Nov. 29, 1794. [KG 12-26-1794]
- Hampton, Michael; killed by Indians in Sumner County. Nov. 29, 1794. [KG 12-26-1794]
- Handly, Eliz., Washington County. June 21, 1796. [Sevier's Diary]
- Hankins, John; killed by Indians near Nashville. Dec. 7, 1792. [KG 1-12-1793]
- Harkins, John; killed by Indians at Muscle Shoals. June 9, 1794. [KG 7-17-1794]
- Harmon, George; died at the house of Mr. William Dewoody in Greeneville. Nov. 12, 1810. Wife and children survive. [WKG 12-1-1810]
- Harmon, John; killed by Indians in Tennessee County. Apr. 11, 1795. [KG 5-18-1793]
- Harrison, Joseph, ensign of 24th Regiment, U. S. inf.; died in Knoxville. Oct. 23, 1812. [WKG 10-26-1812]
- Harry, James; killed on Cumberland River. Jan. 18, 1793. [KG 2-23-1793]
- Haynes, Mrs. Catherine, consort of Stephen Haynes. Jan. 29, 1809. [WKG 2-1-1809]
- Hays, Capt. Samuel; killed by Indians near John Donelson's house in Mero District. Feb. 24, 1793. [KG 4-6-1793]
- Heaton, Isaac and Joseph; killed by Indians at Heaton's Lick, Mero District. June 29, 1793. [KG 8-13-1793]
- Helen [or Helms]; killed by Indians in Mero District. [KG 2-27 & 3-13-1794]
- Helms, William, a revolutionary soldier; naval agent for Tennessee, aged 57; died at Newport. Apr. 29, 1813. [WKG 5-24-1813]
- Henderson, Mrs. Betsy, consort of the Rev. Robert Henderson, of Jefferson County, Mar. 11, 1797. [KG 3-27-1797]
- Hetler, Mrs. Sebastian and daughter; scalped by Indians in Washington County. Aug. 30, 1795. [KG 9-14-1795]
- Hitchcock, Daniel, a soldier; killed by Creeks near Crab Orchard. Aug. 13, 1794. [KG 8-25-1794]
- Hogan, Major Dennis, formerly a British officer; died in Philadelphia, June 10, 1810. [WKG 7-21-1810, from *Aurora*]
- Hope, Miss Patsy; died Sunday last at Knoxville. [WKG 3-29-1813, Mon.]
- Hopkins, Capt. James F., formerly a resident of Knoxville; died last month at Richmond, Va. [WKG 7-7-1810]
- Howard, Mrs. Mary Armistead, consort of Gov. Howard [of Va.]; died at the house of John T. Mason, Mar. 21, 1813. [WKG 4-19-1813]
- Howdeshall, Henry; killed by Indians in Mero District. Apr. 14, 1793. [KG 5-18-1793]
- Ish, John; killed by a Creek Indian near Knoxville. July 24, 1794. [KG 7-31-1794]
- Jackson, Samuel; killed by Indians at Henry's Station. Aug. 29, 1793. [KG 9-14-1793]
- Jervis, John; killed by Indians in Mero District. Apr. 27, 1793. [KG 5-18-1793]
- Jones, Stephen; killed by Indians on Little Pigeon River. June 25, 1794. [KG 7-3-1794]
- Jones, William, formerly of London. Nov. 17, 1810. [WKG 11-24-1810]
- Kearns, John, of Knox County; died lately. Sarah Kearns, admrx. [KG 6-19-1795]
- Kilpatric, James; killed by Indians in Hawkins County. Aug. 31, 1791. [KG 11-5-1791]

- King, William, proprietor of the Salt Works; died at Abingdon, Va. Oct. 13, 1808. [WKG 10-19 & 26-1808]
- Lathim, John; died lately in Jefferson County. [KG 1-16-1794]
- Launders. Two sons of Col. Launders were killed by Indians in Mero District. Feb. 22, 1793. [KG 4-6-1793]
- Lawrence, John; killed by Indians in Sumner County. Nov. 29, 1794. [KG 12-26-1794]
- Lewis, Mrs. and five children; killed by Indians, in Greasy Cove, Washington County. Oct. 13, 1793. [KG 11-23-1793]
- Lewis, Wiltshire; died lately at Richmond, Va. [WKG 5-6-1809]
- Linsey, Benjamin; killed by Indians in Mero District. Dec. 1793. [KG 2-27 & 3-13-1794]
- Livingston, Mrs. (mother of Peter and Henry Livingston), and two children; killed by Indians near Moccasin Gap, Va. Apr. 6, 1794. [KG 4-24-1794]
- London, Mr.; killed by Indians in Franklin County. Mar. 1811. [WKG 3-16-1811]
- Long, Mr., a scout belonging to Capt. Lewis' company stationed on Clinch; shot by an Indian. [KG 7-14-1792]
- Long, Dennis, late of Sullivan County. John Anderson, admr. [KG 6-5-1795]
- Love, Josiah, attorney; died lately at Jonesboro. [KG 1-2-1793]
- Low, Jesse, an Indian; killed at Old Hiwassee by Capt. John Beard. July 1793. [KG 7-27-1793]
- McCabe, Bryan, of Philadelphia; died in Hawkins County. May 28, 1794. [KG 6-5-1794]
- McCaleb, Archibald, of Knox County. Sept. 16, 1813. [WKG 9-27-1813]
- McCown, James; killed by Indians near Nashville. [KG 10-11-1794]
- McCulloh, John, soldier in mounted inf.; drowned in Tennessee [Little Tenn.] River. Apr. 1793. [KG 4-20-1793]
- Maclin, Mrs. Frances, wife of William Maclin. Feb. 6, 1810. [WKG 2-10-1810]
- Maclin, William, late secretary of the state; died at his farm in Blount County. Sept. 24, 1810. [WKG 9-29-1810]
- McMullin [William?]; killed by Indians near Nashville. May 16, 1793. [KG 6-15-1793]
- McRoy, Robert; died in Mero District. 1794. [KG 7-3-1794]
- Mann, George; killed by Indians on Flat Creek. Feb. 27, 1795. [KG 3-2 & 27-1795]
- Martin, Samuel; killed by Indians near Henry's Station. Mar. 9, 1794. [KG 3-13-1794]
- Massey, William; killed by Indians at the Gap of Powell's Mountain. Mar. 30, 1793. [KG 4-20-1793]
- Mathews, -----; killed by Indians on Little Pigeon River, Jefferson County. Apr. 18, 1793. [KG 5-4-1793]
- Maybury, James; killed by Indians on Cumberland Mountain. About Oct. 23, 1792. [KG 12-14-1792]
- Mayfield, Isaac; killed by Indians near Nashville. July 6, 1794. [KG 7-17-1794]
- Miller, Samuel; killed by Indians in Mero District. Before Aug. 5, 1793. [KG 9-14-1793]
- Montgomery, Col. John; killed by Indians in Tennessee County. Nov. 27, 1794 [KG 12-26-1794]

- Moran, Edmund, merchant of Philadelphia; died in Jefferson County. [KG 2-9-1793]
- Morris, Jacob; killed by Indians in Mero District. [KG 3-13-1794]
- Morris, John, Chickasaw Indian; killed at Knoxville. June 24, 1793. [KG 6-1-1793]
- Morse, George; killed by Indians at Black's Block House. Oct. 3, 1792. [KG 10-6 & 10-1792]
- Mullen, John, a soldier of the 12th company of inf.; died at Southwest Point. June 10, 1793. [KG 6-15-1793]
- Neilson, Mrs. Catherine, wife of Charles B. Neilson and only daughter of Col. Patterson of near Franklin, Tenn. She was aged 19 and died at Warm Springs, N. C. May 27, 1808. [WKG 6-22-1808]
- Nelson, James and Thomas, brothers; killed by Indians on Little Pigeon River. Mar. 9, 1793. [KG 3-23-1793]
- Nolan, -----; killed by Indians near Nashville. Feb. 19, 1793. [KG 4-6-1793]
- Nolen, Allen; killed by Indians near Nashville. He was 12 years of age. His father killed six years before on same plantation. [KG 9-10-1794]
- Noon Day, a Cherokee of Toqua; killed by soldiers. Apr. 15, 1793. [KG 4-20-1793]
- Oats, Roger; killed by Indians near Well's Station. Dec. 23, 1793. [KG 1-2-1794]
- Oliver, James, of Washington County. Nov. 25, 1794. [Sevier's Diary]
- Overall, Capt. William; killed by Indians on the Trace from Ky. Jan. 22, 1793 [KG 2-23-1793]
- Pates, John; killed by Indians near Knoxville. Jan. 22, 1793. [KG 1-26-1793]
- Paul, James; killed by Indians at Black's Block House. Oct. 3, 1792. [KG 10-6-1792]
- Payton, Mr.; died at Bledsoe's Lick, in Mero District. June 5, 1795. [KG 6-5-1795]
- Pearcifield, Peter; killed by Indians near Wear's Cove in Jefferson County May 5, 1794. [KG 5-22-1794]
- Pettigrew, James and John; killed by Indians at Muscle Shoals. June 9, 1794. [KG 7-17-1794]
- Pharr, Samuel; killed by Indians in Mero District. Apr. 14, 1793. [KG 5-18-1793]
- Price, Elisha; died lately at Richmond, Va. [WKG 5-6-1809]
- Pruit, St. Clair; shot by Indians on Cumberland River in a salt boat from Ky. After Jan. 24, 1793. [KG 2-23-1793]
- Ramer, Francis; killed by Indians near Dripping Spring in Mero District. Apr. 28, 1793. [KG 5-18-1793]
- Ramsey, Mr., resident among the Cherokees; killed by Creeks. Aug. 24-1792. [KG 9-24-1792]
- Ratcliff, Mrs. Harper, and three children, of Stanley Valley; killed by Indians. Apr. 5, 1792. [KG 4-21-1792]
- Read, Daniel; killed by Indians in Mero District. [KG 3-13-1794]
- Readerson, A.; drowned in Nolichucky River. Sept. 8, 1795. [Sevier's Diary]
- Red Bird, a Cherokee; killed about Jan. 1, 1797. [KG 1-30-1797]
- Reed, -----; killed by Indians on Muddy Creek above Little Pigeon. Aug. 6, 1793. [KG 8-13-1793]

- Reid, Richard, sadler of Kingston. May 25, 1811. [WKG 5-27-1811]
- Renfro, Stephen, a soldier; killed by Creeks near Crab Orchard. Aug. 13, 1794. [KG 8-25-1794]
- Reson, Thomas and wife; killed by Indians in Tennessee County. Sept. 14, 1794. [KG 10-11-1794]
- Rhea, Mrs. Elizabeth, relict of the late Joseph Rhea of Maryland; died at her home near Blountville. [KG 2-13-1794]
- Rhea, William, aged 25. July 15, 1795. [KG 7-31-1795]
- Richardson, Mrs.; killed by Indians on Little Pigeon in Jefferson County. Dec. 22, 1792. [KG 12-29-1792]
- Roberts, -----, a young girl; killed by Indians in Tennessee County. Sept 12, 1794. [KG 10-11-1794]
- Robertson, James R., son of Gen. James Robertson; killed by Indians on Cumberland River. Jan. 1794. [KG 7-17-1794]
- Robertson, Robert; killed by Indians in Mero District on the road to Big Barron. June 4, 1793. [KG 8-13-1793]
- Robertson, William; shot in his home on Holston about thirty miles from Knoxville. Feb. 19, 1794. [KG 2-27-1794]
- Roseberry, William; killed at Hanging Maw's south of the Tennessee River. June 12, 1793. [KG 6-15-1793]
- Ross, Thomas, post rider; killed by Indians on the way to Ky. Mar. 21, 1793. [KG 4-6-1793]
- Roulstone, Miss Charlotte, aged 11, daughter of George Roulstone, deceased. Mar. 26, 1808. [WKG 3-30-1808]
- Roulstone, George, editor of the *Knoxville Gazette*. Aug. 10, 1804, Friday. [KG 8-15-1804]
- Rush, Dr. Benjamin, revolutionary patriot [in Pa.]. Apr. 19, 1813. [WKG 5-17-1813]
- Rutledge, George; died at his residence in Sullivan County. July 1, 1813. [WKG 7-19-1813]
- Scantee, a Cherokee; at Hanging Maw's. June 12, 1793. [KG 6-15-1793]
- Schull, Miss; killed by Indians on Little Pigeon, Jefferson County. Dec. 22, 1792. [KG 12-29-1792]
- Scott, Major Joseph, revolutionary patriot and officer, marshall of the Virginia District; died at Richmond. Nov. 3, 1810. [WKG 12-22-1810]
- Scott, William; killed by Indians at Muscle Shoals. [KG 12-11-1794]
- Sevier, a child of Col. Sevier; killed by Indians in Mero District. Nov. 11, 1794. [KG 11-29-1794]
- Sevier, Richard, son of Gen. Sevier. Died lately. [KG 1-2-1795]
- Sevier [Valentine], father of John Sevier. Dec. 14 ?, 1803. [Sevier's Diary]
- Shaffer, Richard; killed by Indians in Mero District. Apr. 26, 1793. [KG 5-18-1793]
- Sharp, Robert; killed by Indians on Crooked Creek, a branch of Little River. Oct. 3, 1792. [KG 10-6-1792]
- Shelby, Maj. Evan, brother of Gov. Shelby; killed by Indians on Cumberland River. Jan. 18, 1793. [KG 2-23-1793]
- Shelton, Rev., a Baptist minister; killed by Indians on the road to Hawkins Court House. Mar. 12, 1794. [3-27-1794]
- Shelton, Lewis; killed by Indians in S. C. Feb. 16, 1794. [KG 2-24-1794]
- Sherrill, Mrs. Nov. 29, 1794. [Sevier's Diary]

- Sherrill, Samuel, Sr. June 22 (Sunday), 1800. [Sevier's Diary]
- Shields, Thomas; killed by Indians on Pigeon River in Sevier County. Mar. 4, 1797. [KG 3-6-1797; also Sevier's Diary]
- Simpson, Gabriel, son of widow Simpson; killed by Indians near Nashville. July 29, 1794. His father was killed in 1788 on the same plantation. [KG 8-25-1794]
- Smith, -----; killed by Indians in Mero District. July 19, 1793. [KG 8-13-1793]
- Smith, Major Ballard, of the 4th Sub Legion. Apr. 20, 1794. [KG 4-24-1794]
- Smith, Lt. Benjamin; died at Norfolk on board the U. S. frigate *Chesapeake*. [KG 11-13-1807]
- Smith, Mrs., wife of Rev. John N. Smith. Nov. 23, 1810. [WKG 11-24-1810]
- Smith, William; killed by Indians in S. C. Feb. 16, 1794 [KG 4-24-1794]
- Snyder, -----, wife and children; killed by Indians at Col. Sevier's Station in Mero District. Nov. 11, 1794. [KG 11-29-1794]
- Spencer, Thomas Sharp; killed by Indians near Crab Orchard. Apr. 1, 1794. [KG 4-10-1794]
- Steele, James, and daughter; killed by Indians in Mero District. June 2, 1793. [KG 8-13-1793]
- Strawder, -----; killed by Indians at Station Camp in Mero District. May 26, 1794. [KG 7-3-1794]
- Strong, Mrs. Catherine, wife of Dr. Joseph C. Strong, aged 24; died May 13, 1810. [WKG 5-19-1810]
- Stuart, William; killed by Indians near Nashville. Oct. 8, 1792. [KG 10-20-1792]
- Stull, Frederick; killed by Indians in Mero District. [KG 3-13-1794]
- Tate, Mr.; killed by Indians at Muscle Shoals. June 9, 1794. [KG 7-17-1794]
- Taylor, -----; killed by Indians on Pigeon River in Jefferson County. Mar. 1793. [KG 3-23-1793]
- Tedford, Lt.; killed at Henry's Station. Aug. 29, 1793. [KG 9-14-1793]
- Tenan, Hugh, late of Orange County, N. C.; killed by Indians in Sumner County. Dec. 20, 1794. [KG 1-9-1795]
- Tipton, Capt. Jacob, of Washington County; killed on St. Clair's Campaign. [KG 12-17-1791]
- Tipton, Joshua; killed by Indians on Little Pigeon River, Jefferson County. Apr. 17, 1793. [KG 5-4-1793]
- Titsworth, Mrs. Isaac and one child; killed by Indians in Tennessee County. Nov. 5, 1794. [KG 11-29-1794]
- Titsworth, John, wife and child; killed by Indians in Tennessee County. Nov. 5, 1794. [KG 11-29-1794 & 1-9-1795]
- Trigg, Guy S., merchant of Nashville; in volunteer cavalry. Jan. 7, 1809. [WKG 1-11-1809, from *The Clarion*]
- Tripp, Lt.; in U. S. Navy, commander of the brig *Vixen*; died at sea [WKG 9-1-1810]
- Tubeuf and family of Russell County, Va.; killed by white people who robbed them, about May 1, 1795. [KG 5-5-1795]
- Tye, John, Jr.; killed by Indians in Hawkins County. Jan. 5, 1795. [KG 1-23-1795]
- Walker, -----; killed by Indians on Little Pigeon. Aug. 7, 1793. [KG 8-13-1793]

- Walker, Elijah, soldier of the mounted inf.; killed by Indians south of Nashville. Jan. 5, 1795. [KG 1-25-1795]
- Walker, James; killed by Indians near Gamble's Station on Little Pigeon River. Sept. 27, 1793. [KG 10-12-1793]
- Wallan, John, soldier. Oct. 18, 1793. [Sevier's Diary]
- Watkins, Evan; killed by Indians in Sumner County. Oct. 24, 1794. [KG 11-29-1794]
- Wayne, Maj. Gen. Anthony; died Dec. 14, 1796 at Presqu'ille. [KG 1-30-1797]
- Webb, Hugh; killed by Indians near Dripping Spring in Mero District. June 16, 1794. [KG 7-5-1794]
- Wells. Two sons of Mr. Wells of Hind's Valley; killed by Indians. May 16, 1792. [KG 6-2-1792]
- Wells, Abraham; killed by Indians. Aug. 18, 1793. [KG 8-27-1793]
- Wells, Mrs. Robert and two children; killed by Indians in Mero District. About Aug. 21, 1793. [KG 9-14-1793]
- White, Jehu; killed by Indians on Cumberland Mountain. About Oct. 23, 1792. [KG 12-14-1792]
- White, Mrs. Molle, wife of Benjamin White; drowned in the lowest ford of Holston River. Mar. 7, 1812. [WKG 3-9-1812]
- Williams. Infant daughter of John Williams. July 22, 1810. [WKG 7-28-1810]
- Wilson. Eight women and children; killed by Doublehead in Ky. Mar. 1, 1794. [KG 10-11-1794]
- Wilson, Mrs. Margery, wife of the Editor [George Wilson]. Aug. 30, 1812. [WKG 8-31-1812]
- Winchester, Maj. George; killed by Indians in Sumner County. July 7, 1794. [KG 7-31-1794]
- Wirow, John, soldier on duty at the ford of Cumberland River; killed by Indians two miles from Blockhouse. Apr. 6, 1795. [KG 5-8-1795]
- Woods, Patrick, of Knox County, aged 79. Apr. 12, 1795. [KG 6-5-1795]
- Young, Mr.; killed by Indians at Muscle Shoals. June 9, 1794. [KG 7-17-1794]
- Young, Thomas, of Washington County. Nov. 20, 1794. [Sevier's Diary]

WRITINGS ON TENNESSEE HISTORY, 1946

Compiled by Martha L. Ellison

- Ann Robertson Cockrill honored. (Tenn. hist. qr. Dec. '46. v.5:313-314. illus.)
- Bannerman, Mrs. Robert C. John Morgan of Virginia and Tennessee. (Va. hist. mag. Jl. '46. v.54:263-264)
- Barnes, Carman Dee. Time lay asleep. N.Y., Harper, 1946. 243p. [Novel about Ross's Landing in the late nineteenth and early twentieth centuries]
- Barclay, R. E. Ducktown back in Raht's time. Chapel Hill, Univ. of N. C. press, 1946. 286p. illus., maps.
- Beard, William E. "The pathfinder of the seas." (Tenn. hist. qr. Dec. '46. v.328-332) [Matthew Fontaine Maury]
- BIBLIOGRAPHY. Ellison, M. L., comp. Writings on Tennessee history, 1945. (East Tenn. hist. soc. Pub. no. 18:168-171)
- Bristol. Chamber of Commerce. A pictorial prospectus prepared by the Bristol Chamber of Commerce for the convenience of those searching for "a small city with a great destiny." The Chamber [1946] unnumb.p. illus.
- Burnett, Edmund Cody. Hog raising and hog driving in the region of the French Broad river. (Agric. hist. Ap. '46. v.20:86-103)
- Shingle making on the lesser waters of the Big Creek of the French Broad River. (Agric. hist. Oct. '46. v.20:225-235)
- Busts of Tennessee's naval heroes unveiled. (Tenn. hist. qr. Dec. '46. v.5:315-327. illus.)
- Caldwell, Mary French. Tennessee's sesquicentennial. (Tenn. planner. Je. '46. v.6:175-180. ports.)
- Cameron, W. M. Memoirs of Marion county, Tennessee, 1893-1946. Jasper, Jasper Journal [1946] 48p.
- Chiles, John Russell. Beauty for ashes. Jefferson City, Carson Newman College, Treasurer's office, 1946. 169p. [Funeral sermons used by the author during his 29 years as a Tennessee pastor]
- Coblentz, Catherine Cate. Sequoyah. Decorations by Ralph Ray, Jr. N.Y., Longmans, 1946. 199p.
- Cochran, Gifford Alexander. Grandeur in Tennessee: classical revival architecture in a pioneer state. N. Y., Augustin, 1946. 132p. illus.
- COCKRILL. Ann Robertson Cockrill honored. (Tenn. hist. qr. Dec. '46. v.5:313-314. illus.)
- Coddington, John I. Notes on the Lilly family of Memphis, Tennessee. (Nat. geneal. soc. qr. Sept. '46. v.34:108-111)
- CONSTITUTION. Tennessee League of Women Voters. Tennessee needs a new constitution. Chattanooga, The League, 1946. 20p.
- Corbitt, D. C., ed. Papers from the Spanish archives relating to Tennessee and the old southwest, 1783-1800. X-October-December, 1788. Tr. by D. C. and Roberta Corbitt. (East Tenn. hist. soc. Pubs. no. 18:131-146)
- Courtenay, Walter Rowe. The Tennessee sesquicentennial sermon: God walked these hills. (Tenn. hist. qr. Dec. '46. v.5:343-355. ports.)
- Crabb, Alfred Leland. Lodging at the Saint Cloud; a tale of occupied Nashville. Indianapolis, Bobbs, 1946. 255p.
- Davidson, Donald. The Tennessee; v.1, The old river, frontier to secession. Illus. by Theresa Sherrer Davidson. Rivers of America ser. N. Y., Rinehart, 1946. 342p. illus., maps.
- Dr. George R. Gage, 1890-1945. (Jour. of Tenn. acad. of science. Ap. '46. v.21:187-188. port.)
- Dr. Hanor A. Webb, thirty-fifth president of the Tennessee academy of science. (Jour. of Tenn. acad. of science. Ap. '46. v.21:141-142. port.)
- DUCKTOWN. Barclay, R. E. Ducktown back in Raht's time. Chapel Hill, Univ. of N.C. press, 1946. 286p. illus., maps.
- East Tennessee Historical Society. Knox County History Committee. The French Broad-Holston country; a history of Knox county, Tennessee. Mary U. Rothrock, ed. A contribution to the sesquicentennial celebration of Tennessee statehood. Knoxville, The Society, 1946. 573p. illus., ports., maps.

- Ellison, Martha L., comp. Writings on Tennessee history, 1945. (East Tenn. hist. soc. Pub. no. 18:168-171)
- Exercises at Capitol on Sesquicentennial Day; Judge Samuel C. Williams honored; sesquicentennial stamps presented to Governor. (Tenn. hist. qr. Dec. '46. v.5:333-334. illus.)
- Exhibits and exercises in Library of Congress [Tennessee sesquicentennial celebration] (Tenn. hist. qr. Dec. '46. v.5:357-363)
- Frank, John G. Adolphus Heiman: architect and soldier. (Tenn. hist. qr. Mr. '46. v.5:35-57)
- Gilbert, Dorothy Lloyd. Quaker migration to the western waters. (East Tenn. hist. soc. Pubs. no. 18:47-58)
- Glenn, L. C. Dr. A. H. Purdue, seventh president of the Tennessee academy of science, 1917. (Jour. of Tenn. acad. of science. Ap. '46. v.21:191-197)
- Green, John W. Attorneys-general of Tennessee (1865-1913) (Tenn. law rev. Je. '46. v.19:385-391. ports.) [Thomas H. Coldwell, Joseph B. Heiskell, George W. Pickle, Charles T. Cates]
- Judges Totten, Bright, Buchanan and Fentress. (Tenn. law rev. Feb. '46. v.19:135-142. ports.)
- GREENE COUNTY. [Hubbs, Mrs. Ferol Frost] Index to early Greene county, Tennessee, wills. (D.A.R. mag. Dec. '46. v.80:650-654)
- Gresham, L. Paul. Hugh Lawson White as a Tennessee politician and banker, 1807-1827. (East Tenn. hist. soc. Pubs. no. 18:25-46)
- HAWKINS. Sarah Hawkins Sevier Memorial Day. (Tenn. hist. qr. Dec. '46. v.5:364-368)
- HEIMAN. Frank, J. G. Adolphus Heiman: architect and soldier. (Tenn. hist. qr. Mr. '46. v.5:35-57)
- HENLEY. Williams, S. C. Colonel David Henley. (East Tenn. hist. soc. Pubs. no. 18:3-24)
- Highsaw, Mrs. Mary Wagner. A history of Zion community in Maury county, 1806-1860. (Tenn. hist. qr. Mr. Je., Sept. '46. v.5:3-34; 111-140; 222-233)
- Horn, Stanley F., ed. Holdings of the Tennessee historical society: ceiling prices in Tennessee in 1820. (Tenn. hist. qr. Je. '46. v.5:141. facsim.)
- Holdings of the Tennessee historical society: the volunteer state volunteers—for the Confederacy. (Tenn. hist. qr. Mr. '46. v.5:58-59. facsim.)
- [Hubbs, Mrs. Ferol Frost] Index to early Greene county, Tennessee, wills. (D.A.R. mag. Dec. '46. v.18:650-654)
- JACKSON. Walker, Arda S. Andrew Jackson: frontier democrat. (East Tenn. hist. soc. Pubs. no. 18:59-86)
- Jennings, Jesse D. Hopewell-Copena sites near Nashville. (Amer. antiquity. Oct. '46. v.12:126)
- KINGSPORT. Rotary club of Kingsport. Kingsport: the planned industrial city. 2d ed. Kingsport, Kingsport Office Supply co., Market and Commerce sts., 1946. 349p. illus., maps.
- KNOX COUNTY. East Tennessee Historical Society. Knox County History Committee. The French Broad-Holston country; a history of Knox county, Tennessee. Mary U. Rothrock, ed. A contribution to the sesquicentennial celebration of Tennessee statehood. Knoxville, The Society, 1946. 573p. illus., ports., maps.
- Lewis, Claudia. Children of the Cumberland. Photographs by William T. Buttrick, Jr. N.Y., Columbia univ. press, 1946. 217p. illus.
- Lewis, T.M.N. and Kneberg, Madeline. Hiwassee island; an archaeological account of four Tennessee Indian peoples. Partially based on field reports by Charles H. Nash. Knoxville, Univ. of Tenn. press, 1946. 188p. 118pl. maps.
- Link, Arthur S. Democratic politics and the presidential campaign of 1912 in Tennessee. East Tenn. hist. soc. Pubs. no. 18:107-130)
- McCord, Gov. Jim. Tennessee sesquicentennial. (Tenn. hist. qr. Je. '46. v.5:99-110) [Reprinted in Dec. '46. v.5:294-303. ports.]
- MADISON COUNTY. Williams, E. I. Historic Madison; the story of Jackson and Madison county, Tennessee, from the prehistoric moundbuilders to 1917. A contribution to the sesquicentennial celebration of Tennessee statehood in 1946. Jackson, Madison county historical society, 1946. 553p. illus., ports., maps.
- Maloney, John. Time stood still in the Smokies. (Sat. eve. post. Ap. 27 '46. v.218:16-17)
- MARION COUNTY. Cameron, W. M. Memoirs of Marion county, Tennessee, 1893-1946. Jasper, Jasper Journal [1946] 48p.
- MAURY. Beard, W. E. "The pathfinder of the seas." (Tenn. hist. qr. Dec. '46. v.5:328-332)
- MAURY COUNTY. Highsaw, Mrs. Mary Wagner. A history of Zion community in Maury county, 1806-1860. (Tenn. hist. qr. Mr., Je., Sept. '46. v.5:3-34; 111-140; 222-233)
- Miles, Guy. The Tennessee antiquarian society and the west. (East Tenn. hist. soc. Pubs. no. 18:87-106)

- Miller, Harold V. The changing geography of the valley of the Tennessee. (Tenn. planner. Ap. '46. v.6:139-150. illus.)
- Miller, Helen Topping. Shod with flame. Indianapolis, Bobbs, 1946. 270p. [Novel about Tennessee in 1863]
- Mims, Edwin. History of Vanderbilt university. Nashville, Vanderbilt univ. press, 1946. 497p. illus., ports.
- Mitchell, Enoch L., ed. Letters of a Confederate surgeon in the Army of Tennessee to his wife. (Tenn. hist. qr. Mr., Je. '46. v.5:60-81; 142-181. cont. from Dec. '45)
- Mooney, Chase C. The question of slavery and the free negro in the Tennessee constitutional convention of 1834. (Jour. of southern hist. Nov. '46. v.12:487-509)
- Moore, Mrs. John Trotwood, comp. Records of commissions of officers in the Tennessee militia, 1811. (Tenn. hist. qr. Mr., Je., Sept. '46. v.5:82-87; 182-186; 276-283)
- Mott, Charles R., Jr., ed. War journal of a Confederate officer. (Tenn. hist. qr. Sept. '46. v.5:234-248)
- Nixon, Herman Clarence. Lower Piedmont country. American folkways ser. N.Y., Duell, 1946. 244p.
- Parks, Joseph H., ed. Letters from James K. Polk to Samuel H. Laughlin, 1835-1844. (East Tenn. hist. soc. Pubs. no. 18:147-167)
- ROBERTSON. Ann Robertson Cockrill honored. (Tenn. hist. qr. Dec. '46. v.5:313-314. illus.)
- Rogers, E. G. Some experiences at staging. (Tenn. folklore soc. bul. May '46. v.12:6-13)
- Rotary Club of Kingsport. Kingsport: the planned industrial city. 2d ed. Kingsport, Kingsport Office Supply co., Market and Commerce sts., 1946. 349p. illus., maps.
- Rutherford monument unveiled at Murfreesboro. (Tenn. hist. qr. Dec. '46. v.5:380-387) [Gen. Griffith Rutherford]
- St. Clair, Labert. I like hillbilly horses; Tennessee's walkers. (Nations bus. Ja. '46. v.34:70-[-])
- Sarah Hawkins Sevier memorial day. (Tenn. hist. qr. Dec. '46. v.5:388-396)
- School essay contests mark sesquicentennial year. (Tenn. hist. qr. Dec. '46. v.5:388-396)
- Sesquicentennial celebration at Nashville. (Tenn. hist. qr. Dec. '46. v.5:304-312. ports.)
- Sesquicentennial ceremonies in Johnson City. (Tenn. hist. qr. Dec. '46. v.5:369-379. illus.)
- Sesquicentennial observance officially decreed: Senate joint resolution no. 28 and Proclamation of Gov. Jim McCord. (Tenn. hist. qr. Dec. '46. v.5:291-293)
- Sesquicentennial observed throughout the state. (Tenn. hist. qr. Dec. '46. v.5:397-404. illus.)
- SEVIER. Sarah Hawkins Sevier memorial day. (Tenn. hist. qr. Dec. '46. v.5:364-368)
- Shaver, Jesse M. In memory of my friend Doctor John Thomas McGill. (Jour. of Tenn. acad. of science. Oct. '46. v.21:291-294. port.)
- Smoky mountains hiking club. 1946 handbook. Knoxville, The club, 1946. 71p. illus.
- Starkey, Marion Lena. The Cherokee nation. N. Y. Knopf, 1946. 355p. illus. maps.
- Swint, Henry Lee, ed. Letters of a college student to his sister, 1841-1844. (Tenn. hist. qr. Sept. '46. v.5:249-275)
- Tennessee blue book. 1945-1946. Sesquicentennial ed. 1796-1946. Nashville, Joe C. Carr, secy. of state, 1946. 317p. illus., ports., maps.
- Tennessee Historical Commission and Tennessee Historical Society. Tennessee old and new. Sesquicentennial ed. 1796-1946. Nashville, The Commission and The Society. [1946] 2v. illus., ports., maps.
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- TENNESSEE RIVER. Davidson, Donald. The Tennessee; v.1, The old river, frontier to secession. Illus. by Theresa Sherrer Davidson. Rivers of America ser. N.Y., Rinehart, Dec. '46. v.5:335-342. illus.)
- "Tennessee through the years": a pageant. (Tenn. hist. qr. Dec. '46. v.5:335-342. illus.)
- Tennessee Valley Authority. Technical Library. TVA program; a bibliography of selected readings; prepared by the Training and educational relations staff of the Personnel department and the staff of the Technical library. Knoxville, The Library, 1946. 29p. mimeo.
- Tennessee. University. The University of Tennessee sesquicentennial 1794-1944 [A record of 150 years of achievement of public education on the higher level -and an analysis of future problems and responsibilities] Knoxville, Univ. of Tenn. press, 1945. 217p. illus.
- Tilton, Leroy W. Will of Col. David Looney of Sullivan county, Tennessee. (Nat. geneal. soc. qr. Mr. '46. v.34:25-26)
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- VANDERBILT UNIVERSITY. Mims, Edwin. History of Vanderbilt university. Nashville, Vanderbilt univ. press, 1946. 497p. illus., ports.

- Walker, Arda S. Andrew Jackson: frontier democrat. (East Tenn. hist. soc. Pubs. no. 18:59-86)
- Whitaker, J. R. Tennessee—earth factors in settlement and land use. (Tenn. hist. qr. Sept. '46. v.5:195-211)
- WHITE. Gresham, L. P. Hugh Lawson White as a Tennessee politician and banker, 1807-1827. (East Tenn. hist. soc. Pubs. no. 18:25-46)
- Williams, Emma Inman. Historic Madison; the story of Jackson and Madison county, Tennessee, from the prehistoric moundbuilders to 1917. A contribution to the sesquicentennial celebration of Tennessee statehood in 1946. Jackson, Madison county historical society, 1946. 553p. illus., ports., maps.
- Williams, Samuel Cole. The south's first cotton factory. (Tenn. hist. qr. Sept. '46. v.5:212-221)
- Colonel David Henley. (East Tenn. hist. soc. Pubs. no. 18:3-24)

UNPUBLISHED MASTER'S THESES, 1946

University of Tennessee

- Campbell, James Bernard. Some social and economic phases of reconstruction in East Tennessee, 1864-1869.
- Doub, Chester J. A history of education in the James county area
- Pentecost, Percy M. A corporate history of Knoxville, Tennessee, before 1860
- Vanderbilt University
- Des Champs, Margaret Burr. Pioneer life in the Cumberland country

BOOK NOTICES

Books to be noticed will be those bearing directly or indirectly upon some phase or phases of the history of Tennessee. There is no intention of reviewing books critically; the purpose of the *Publications* will be served in supplying bibliographical data and in indicating something of the nature of the subject matter.

The French Broad-Holston Country: A History of Knox County, Tennessee. By the Knox County History Committee, East Tennessee Historical Society, Mary U. Rothrock, Editor. Knoxville: East Tennessee Historical Society, 1946. xiii, 573 pp. Illustrations, maps, bibliographical notes, appendix, index. \$4.75.)

"*The French Broad-Holston Country* is an attempt to present the colorful story of Knox County's beginnings and subsequent development, and to place local events in their relation to state and national history. The volume represents the cooperation of many interested individuals who have gladly merged their efforts into an over-all plan for a unified narrative.

"The idea of producing a history of Knox County under the sponsorship of the East Tennessee Historical Society was suggested by Judge Samuel C. Williams, Chairman of the Tennessee Historical Commission, in the Spring of 1943. Reporting plans for the celebration in 1946 of the Sesquicentennial of Tennessee statehood Judge Williams pointed out to members of the Society that of Tennessee's four large-city counties only Knox lacked a printed history; that the county's achievements and its importance in the development of the state and nation amply warranted attention; and that such a history would be an especially appropriate publication for Tennessee's Sesquicentennial since Knox County was the seat of the Territorial government and Knoxville the actual birth-spot of the state, and its capital for the first fifteen years of statehood

"By design *The French Broad-Holston Country* tries to emphasize the history of Knox County, rather than that of Knoxville. Actually, however, it reveals the very great extent to which county and city interests are inseparable. Though much hitherto inaccessible information about Knoxville is included, a great deal more remains to be disclosed in written history, notably of its corporate, commercial and social growth. Indeed, in relation to the interesting and important material which is available and as yet unused the present volume may be regarded as but an introduction to the rich and significant history of this region." (Foreword.)

The chapter titles are as follows: 1. In the Beginning, 2. Geography of Knox County, 3. Exploration and Settlement, 4. Growth of Knox County to 1861, 5. Boundaries of Knox County, 6. Knox County Government—1792 to 1860, 7. Farming from the Beginning to 1860, 8. Beginnings of Commerce and Industry, 9. Transportation Prior to the Civil War, 10. Early Printing and Libraries, 11. Knox County in Wartime—1860-1863, 12. Knox County in Wartime—1863-1865, 13. The Transition Period—1864-1876, 14. Knox County Government—1860-1900, 15. Knox County Government—1900-1930, 16. Farming from 1860 to 1900, 17. Farming from 1900 to 1940, 18. Commercial and Industrial Trends since 1865, 19. Transportation since 1860, 20. The Library Movement after the Civil War, 21. Education in the French Broad-Holston Country, 22. Church Organization in the French Broad-Holston Country, 23. Social Institutions of Knox County, 24. Negro Life in Knox County and Knoxville, 25. Some Early Communities of the French Broad-Holston Country, 26. Nineteen Hundred Thirty to Nineteen Hundred Forty-Six.

A notable feature of the work is the section composed of 132 biographical sketches of "Pioneer and Civic Leaders."

Historic Madison: The Story of Jackson and Madison County, Tennessee, From the Prehistoric Moundbuilders to 1917. By Emma Inman Williams. (Jackson, Tennessee: Madison County Historical Society, 1946. xiv, 553 pp. plus 40 unnumbered pages of illustrations. Maps, appendices, index. \$5.00.)

"The difficulties of writing this volume have been many. This story of Jackson and Madison County does not propose to be a biographical or genealogical history of the county. It has been the purpose of the writer to try to show how the social, economic, and political forces influenced this inland cotton center, changing it to a commercial center in the midst of a progressive farming area of today. Where biographical material has been used, references have been made only to the early leaders who were identified with public events. As the copy goes to press, the writer is fully aware of the fact that many phases of the story of our county have been omitted and it is her sincere desire that someone will finish the history of the county at some later date. . . .

"This study was begun at the University of Chicago and submitted in 1941 as a partial fulfillment of the requirement of the degree of master of arts. Others became interested in the subject and Madison County was chosen by the Historical Commission as one of the counties to publish a history as a part of the Sesquicentennial Celebration in June, 1946. . . ."

The chapter titles are as follows: I. Prologue, II. The Red Man's Country, III. Those Early Years, IV. Notable Men of the Early Nineteenth Century, V. Frontier Politics, VI. Our Early Congressmen, VII. The Militia and the Seminole War, VIII. The Santa Fe Expedition, IX. The County and Texas Independence, X. The Mexican War, XI. Early Transportation, XII. The Railroads, XIII. The County and the Sectional Conflict, XIV. The Days of Reconstruction, XV. The Planter and the Farmer, VI. The Courts, XVII. John A. Murrell, The Outlaw, XVIII. Crime in Madison, XIX. Medicine in Madison, XX. The Press, XXI. Education, XXII. Religion in Madison, XXIII. Banks and Banking, XXIV. Towns and Communities, XXV. An Industrial Center of West Tennessee, XXVI. Rise of the City, XXVII. Post Civil War Politics, XXVIII. "Pursuit of Happiness", XXIX. Epilogue.

William Tatham, Wataugan. By Samuel C. Williams. Second, Revised, and Limited Edition. (Johnson City, Tennessee: The Watauga Press, 1947. 109 pp. Frontispiece, footnotes, appendices, \$2.50.)

"The author in 1920-21 began the collection of such materials on the career of William Tatham as could be found in this country. He visited England in 1921 and spent about three weeks in the British Museum in London in search of further data on Tatham and other material which would shed light on the History of Tennessee. On his return from Europe he set to work and in the latter part of 1921 finished a thin booklet, titled *William Tatham, Wataugan*. That booklet was published in 1922 in an edition which we severely limited; it was exhausted in the year after its issuance

"It was decided that a second and much expanded edition of *William Tatham, Wataugan*, was justified; hence the preparation of such an edition. Use has been freely made of the 'Letters of William Tatham' and of materials found in the British Museum on the second visit to that institution in 1929.

"Editor McPherson expressed the view that Tatham was 'the father of the United States topographical and coast surveys,' and that 'his letters threw much light on important events which have received far from adequate treatment by our historians.' This author shares that view." (Introduction.)

✓ *The Tennessee, Volume I. The Old River: Frontier to Secession.* By Donald Davidson. (New York: Rinehart and Company, Inc., 1946. x, 342 pp. Illustrations, maps, bibliography, index, \$3.00.)

"Down the valley of the Tennessee two rivers flow—two rivers blended indistinguishably where for centuries there was only one. They slant southwest, then west, then north, in the wide curve that marks the course of the Tennessee. One of these, uppermost and immensely obvious, is the new Tennessee, a man-made river, the product of engineering operations of such calculated daring that the imagination is daunted to find precedent for them. . . .

"Beneath the giant stairs of great lakes, merged with them and all but lost in them, flows another river—the old Tennessee, the river of the Cherokee Indians and of their Creek and Chickasaw neighbors. To one of its small upper branches came the pioneers who made the first permanent settlement west of the Appalachians. . . .

"One of the chief peculiarities of the old Tennessee is that, of all the great rivers east of the Mississippi, it has been least friendly to civilization. Until the advent of the Tennessee Valley Authority it defied every human attempt at conquest. It could be used, but only at great hazard and on terms forbidding to commerce and industry. So it remained a wild river, cherishing its wildness while civilization rushed across it or away from it. It mocked the schemes of improvers. It wore out the patience of legislators. Tawny and unsubdued, an Indian among rivers, the old Tennessee threw back man's improvements in his face and went its own way, which was not the way of the white man. The white man therefore withheld his praise. So today there are no fine romantic songs about the Tennessee. Poets, novelists, makers of ballads and folk tales, all have passed it by. This volume is the story of the old Tennessee, a river now utterly gone. To tell its story would seem worthwhile, if only for the reason that one who does not know the lost river cannot possibly understand its offspring and conqueror, the TVA. The story of the new river created by TVA will be the subject of a second volume. But the history of the old Tennessee would be remarkable even if the TVA had never been invented." (Pages 5-6.)

✓ *The Wilderness Road.* By Robert L. Kincaid. (New York: The Bobbs-Merrill Company, 1947. *The American Trails Series*, edited by Jay Monaghan. 392 pp. Maps, illustrations, footnotes (at ends of chapters), bibliographical note, index. \$3.75.)

"No single trail was more significant in the westward spread of English colonization than the Wilderness Road of Virginia, Tennessee and Kentucky. It was the first route opened across the Appalachian barrier. From 1775 to 1800 it was the principal overland entry into the limitless reaches of the West. It was the life line which saved the Northwest for the young republic. During the Civil War it was of strategic importance in the movement of armies. During the 90's, the wilderness which it penetrated witnessed an unusual exploitation characteristic of America's industrial development. . . .

"To sketch the annals of the Wilderness Road is to portray an epochal migration. It may be called the grandfather of the roads which connected the East with the West. To travel it today gives little concept of its mighty drama. The way is too easy; the marks of progress are too recent. Only by learning of the events along the Road can one get a picture of its place in the life of America. It is for that reason this book has been written." (Foreword.)

The University of Chattanooga: Sixty Years. By Gilbert E. Govan and James W. Livingood. (Chattanooga, Tennessee: University of Chattanooga, 1947. xiv, 271 pp. Illustrations, bibliography, appendix. \$3.00.)

"The Commencement of June, 1946, completed the sixtieth year of the institution now known as the University of Chattanooga. This volume was planned to be published in conjunction with the anniversary. Unfortunately, difficulties developed which made postponement of publication necessary. In a sense this was fortunate, as it has given the opportunity to record in this study the happenings of a period during which the fortunes of the University have advanced in more rapid tempo than in any other brief span of its history

"The first part of this volume, Chattanooga University, 1872-1889, recounts the efforts to establish the institution and includes the years of its operation under that name. Major emphasis is given to the administrative history, but one chapter deals with student life. The second part, U. S. Grant University, 1889-1904, is the history from the consolidation of the Chattanooga University with the Grant Memorial University at Athens, Tennessee, to the re-establishment of the liberal arts college at Chattanooga in 1904. Because there was a minimum of student activity in this era, that which is related is included chronologically with the other material.

"The third part, The Modern College, 1904-1946, begins with the re-organization of the liberal arts college at Chattanooga, although it continued to be known as U. S. Grant University until 1907. This section is largely the administrative history of the development of the institution of today. Student and faculty activities for this period are treated separately in part four." (Preface.)

Tennessee: Old and New. Sesquicentennial Edition, 1796-1946. Volumes I and II. Arranged by Robert H. White, Hallum W. Goodloe, and William E. Beard. (Nashville: Tennessee Historical Commission and Tennessee Historical Society, 1946. xvii, 490, ix, 493 pp. Illustrations, maps, index. \$6.00.)

"Four or five years prior to 1946, informal remarks by members of historical organizations pointed out that Tennessee's sesquicentennial year was just in the offing. One general agreement was that plans for proper recognition and celebration of the historic occasion would involve a request for necessary funds from the legislative assemblies that would convene in 1943 and 1945. No request was made. The World was on fire! . . .

"This was the situation that led members of the Tennessee Historical Commission and the Tennessee Historical Society to consider what, if anything, could be done in preparation for the celebration of our attainment of one hundred and fifty years of statehood. A three-phase program was evolved: (1) acquisition and restoration of some historic places in Tennessee; (2) erection of monuments to the memories and services of some distinguished Tennesseans; and (3) aid and consultant services to local groups of historians in the writing and publishing of County Histories.

"Ultimately, another project was devised, an undertaking that would not involve conflict but merely serve as a contrast among the enterprises designed to remind the citizenry of Tennessee's sesquicentennial year. The Publication Committee of the two above historical organizations proposed the publication of a Sesquicentennial Edition of historical papers gleaned in the main from two former but now discontinued Tennessee historical publications, *The American Historical Magazine* and the *Tennessee Historical Magazine*, of which there are but few complete files in the State. . . .

"Next arose the question of selection of specific articles. This proved a difficult problem, because there was far more material in the approximately five hundred articles of the old magazines than could possibly be included in two 500-page volumes. The scope and variety of topics, the limitations of space, and the contemplated purpose of the publication itself did not render the task of selection any less difficult. If these facts be borne in mind, perhaps there will be more of astonishment at the

interesting nature of the contents of *Tennessee: Old and New* than of discontent about the omission of some particular article. In order to close partially certain "gaps," a few articles were extracted from two current Tennessee historical publications and from a limited number of other sources. . . ." (Preface.)

The Cherokee Nation. By Marion L. Starkey. (New York: Alfred A. Knopf, 1946. xiv, 355, vi pp. Illustrations, bibliography, notes, index. \$3.50.)

The title of this work is something of a misnomer as the subject matter deals largely with the circumstances leading to the removal of the Cherokee Indians to the West, and the story of the actual removal. These subjects are dealt with in a scholarly and interesting manner, and the study appears to be the result of careful and intensive research.

History of Vanderbilt University. By Edwin Mims. (Nashville: Vanderbilt University Press, 1946. 497 pp. Illustrations, index. \$4.75.)

✓ "Chancellor Kirkland after his retirement in 1937 wrote the history of Vanderbilt University up to his administration and included a few chapters on the events of his early years as Chancellor. I have found his manuscript invaluable and have incorporated parts of it into my narrative. His history was based mainly on the minutes of the Board of Trust and of the Faculty and takes no account of other contemporary sources. He did not have access to the correspondence of Bishop McTyeire, Commodore Vanderbilt, and Chancellor Garland. I have found much material in the files of the Nashville *Christian Advocate* and other Nashville papers and in the University periodicals. From many sources I have been able to write of the members of the Faculty of various periods, believing that they are an essential part of this story.

"Having previously written the biography of Chancellor Kirkland (1940), I have used certain parts of that volume in this narrative. I have omitted most of the personal material, but have found it necessary to repeat in condensed form several sections which I felt unable to state any better—for instance, the account of the controversy with some of the leaders of the Southern Methodist Church." (Preface.)

Lower Piedmont Country. By H. C. Nixon. A volume in the series, *American Folkways*, edited by Erskine Caldwell. (New York: Duell Sloan and Pearce, 1946. xxiii, 244 pp. Book notes, index. \$3.00.)

Although this work deals mainly with the hill country of Alabama and Georgia, it includes also the region in the neighborhood of Chattanooga in Tennessee. The impact on the region of the TVA development is emphasized.

NOTES AND NEWS, 1946

The East Tennessee Historical Society held its annual banquet at the Farragut Hotel in Knoxville on October 4. President Harvey Broome presented as the speaker Mr. Donald Davidson of Vanderbilt University, author of *The Tennessee in the Rivers of America* series. Mr. Davidson gave "An Interpretation of Tennessee River History from Hernando de Soto to Andrew Johnson" Mrs. Davidson, who did the illustrations for the book, was also present.

The Calvin M. McClung Award of \$50.00 for the best paper printed in *Publications* No. 18 was given to Dr. Arthur S. Link, instructor in history at Princeton University, for his article "Democratic Politics and the Presidential Campaign of 1912 in Tennessee." The judges were: Ruhl J. Bartlett, Tufts College; Henry H. Simms, Ohio State University; and Robert H. Woody, Duke University. The prize is given by Mrs. C. M. McClung of Knoxville.

Papers presented at the monthly meetings of the East Tennessee Historical Society in 1946 were:

January. "The Government of Knox County, 1865-1900" by Harvey Broome.

February. "The Negro in Knox County History" by Charles W. Cansler.

March. "The Economic and Industrial Development of Knox County" by C. P. White.

April. "The Church History of Knoxville and Knox County" by I. P. Martin.

May. "The History of Welfare Agencies in Knox County" by W. E. Cole.

June. "Knox County Government, 1900-1930" by Harvey Boome.

November. "Montvale Springs Under the Proprietorship of Sterling Lanier" by Nathalia Wright.

December. "The First Century of Musical Activities in Knoxville" by Mabell Mitchell.

The French Broad-Holston Country; a History of Knox County, Tennessee was published by the East Tennessee Historical Society late in December. Grants from the Tennessee Historical Commission and the Knox County Court assisted the Society in printing this history during Tennessee's sesquicentennial year. The volume was edited by Miss Mary U. Rothrock, and the chapters were written by various members of the Society and specialists in certain fields.

Officers of the East Tennessee Historical Society for 1947 elected at the December meeting are: Harvey Broome, president; Helen M. Harris, vice-president for Knoxville area; Judge Samuel Cole Williams of Johnson City, vice-president for upper East Tennessee; Culver H. Smith of Chattanooga, vice-president for lower East Tennessee; Martha L. Ellison, secretary; Laura E. Luttrell, treasurer; Verton Queener of Maryville and LeRoy P. Graf, members of the executive committee. S. J. Folmsbee was reelected as managing editor of the *Publications* and LeRoy P. Graf as associate editor. Mary U. Rothrock and W. T. Jordan of Auburn, Alabama, were elected to three-year terms on the editorial board.

Judge Samuel Cole Williams of Johnson City, dean of Tennessee historians, retired as chairman of the Tennessee Historical Commission during Tennessee's sesquicentennial year. At the ceremony in Nashville on June 1, Governor McCord presented Judge Williams with a hand-illuminated scroll in testimony of his invaluable services to the historical interests of the state.

W. E. Beard of Nashville was elected to succeed Judge Williams as chairman of the Tennessee Historical Commission.

Frank L. Owsley, professor of history at Vanderbilt, was named by Governor McCord as a member of the Tennessee Historical Commission to succeed O. C. Carmichael, who resigned as chancellor of Vanderbilt to become president of the Carnegie Foundation for the Advancement of Teaching.

In addition to *The French Broad-Holston Country*, already mentioned, the Tennessee Historical Commission assisted financially in the publication of another Tennessee county history as a contribution to the sesquicentennial celebration of Tennessee statehood. *Historic Madison, the Story of Jackson and Madison County, Tennessee* was written by Miss Emma Inman Williams and sponsored by the Madison County Historical Society.

An exhibit depicting the history of Tennessee was presented in the halls of the Library of Congress from June 1 to October 21 in honor of the 150th anniversary of Tennessee's statehood. The exhibit was opened with an address by the Hon. Clifford Davis, representative from Tennessee. The text of his speech, a catalog of the exhibition, and photographic reproductions of some of the items displayed have been printed in a booklet offered for sale by the Superintendent of Documents.

Stanley F. Horn of Nashville, president of the Tennessee Historical Society, represents Tennessee at the celebration of the 100th anniversary of the admission of Texas to the Union. The celebration was held at Austin in February.

The Tennessee Folklore Society held its annual meeting in McMinnville on November 2. Officers elected were: Mrs. L. L. McDowell, Smithville, president; Charles E. Bryan, McMinnville, vice-president; E. G. Rogers, Athens, secretary; T. J. Farr, Cookeville, treasurer.

The Southeastern Folklore Society held its first post-war meeting in Birmingham on November 28. Two Tennesseans read papers, Miss Dorothy Horne of Maryville College and Dr. George Pullen Jackson of Vanderbilt. At the business session, the Society voted to become the folklore section of the South Atlantic Modern Language Association. Dr. Jackson was elected president of the section for 1947, when the meeting will be held in Chattanooga.

Dr. William C. Binkley of Vanderbilt University delivered the presidential address at the 39th annual meeting of the Mississippi Valley Historical Association on April 18 at Bloomington, Indiana. His subject was "Two World Wars and American Historical Scholarship." The address was printed in the June issue of the *Mississippi Valley Historical Review*.

The Tennessee Historical Commission, the National Society of the Colonial Dames in Tennessee, the John Sevier and Sarah Hawkins chapters of the D. A. R., the Daughters of the War of 1812, and the United Daughters of the Confederacy sponsored the erection of a monument at the Tipton-Hayes Place on the Asheville Highway, one mile south of Johnson City. The was unveiled by Mrs. Mary Hoss Headman, great-great-granddaughter of

Sarah Hawkins Sevier Memorial Day was observed in Knoxville on June 3 with the dedication of a monument honoring the first wife of Governor John Sevier. The monument, on the lawn of the Knox County Court House,

was unveiled by Mrs. Mary Hoss Headman, great-great granddaughter of Sarah Hawkins Sevier. Participating in the ceremony were Governor James Nance McCord; Mrs. Earle Wiley, state chaplain of the D. A. R.; Mrs. T. E. Deakins, regent of the Sarah Hawkins Chapter, D.A.R., which sponsored the program; Mrs. W. H. Lambuth, vice-president general, National Society, D.A.R.; E. E. Patton, who made the principal address; and Judge Thomas H. Goodman who read a tribute written by Frank J. Price, Jr. Following the ceremony, the Sarah Hawkins Chapter entertained the honor guests at a luncheon.

A bronze marker was placed on the Knaffl Building on the southwest corner of Gay and Church Avenue in Knoxville to mark the site of David Henley's office where the first Constitutional Convention was held January 11-February 6, 1796. The marker was erected by the Tennessee Historical Commission and Bonny Kate Chapter, D.A.R. The unveiling, planned for December as the last event celebrating the sesquicentennial, was unavoidably delayed until February 6, 1947. In the absence of Judge Samuel Cole Williams of Johnson City, retiring chairman of the Tennessee Historical Commission, who was scheduled to speak, E. E. Patton of Knoxville, another member of the Commission, gave the history of "Tennessee's First Constitutional Convention." Participating in the ceremony were William Broome, a descendant of John Adair, and Peggy McMillan, a descendant of James White and Charles McClung.

A portrait of Jennie Armstrong, one of the five original co-eds on "The Hill," was presented to the Jennie Armstrong Hall at the University of Tennessee on October 27 by a great-granddaughter, Miss Mary E. Grainger of Knoxville. The painting, which was inherited by Miss Grainger, had been restored by Dr. Donald Manuel. The presentation speech was made by another great-grandchild, Professor Frank Nelson of Knoxville. President Emeritus James D. Hoskins accepted the painting on behalf of the University.

A bust of Sidney Lanier was unveiled in the Hall of Fame of New York University on October 3. Participating in the ceremony was the poet's grandson and namesake.

Marion Starkey, author of *The Cherokee Nation*, published in 1946, planted a new tree, *Sequoia Sempervireus*, in "The Literary Acres" of the Elsie Chapin Wild Life Sanctuary at Chattanooga in memory of the famous Cherokee, Sequoyah.

Dr. S. J. Folmsbee, editor of the *East Tennessee Historical Society Publications*, has been promoted to the rank of professor in the history department of the University of Tennessee.

Dr. Verton M. Queener, a member of the executive board of the East Tennessee Historical Society, returned to his position as professor of history and chairman of the division of social sciences of Maryville College. Dr. Queener had been on leave since 1943 working in the Bureau of Agricultural Economics of the United States Department of Agriculture in Washington.

Daniel M. Robison, a member of the board of editors of the *East Tennessee Historical Society Publications*, has been promoted to the rank of professor in the history department at Vanderbilt.

Dr. P. M. Hamer, a member of the East Tennessee Historical Society since its organization in 1925 and now records control officer and director of World War II records project at the National Archives, was one of the speakers at the annual meeting of the Society of American Archivists on October

24 in Washington. His subject was "Guides to Records of World War II."

Mr. Will E. Parham, for many years a member of the East Tennessee Historical Society, died at his home in Maryville on December 26. Mr. Parham, who was 86, was an authority on the history and families of Blount County. He had devoted much time to the collection and copying of records of the county; and in his will he left all his historical books, papers and manuscripts to the McClung Historical Collection of Lawson McGhee Library, Knoxville.

Two prominent Kentuckians who were members of the East Tennessee Historical Society died in 1946. They were R. C. Ballard Thruston, president of the Filson Club, and Judge Samuel Mackay Wilson.

Mrs. Albert Lyon (Louise McLean) Craig of Knoxville, twenty-first state regent of the Tennessee Society, D.A.R., died on July 30.

Prentice Cooper, three times governor of Tennessee, was appointed ambassador to Peru. When he sailed for his post in June he was accompanied by his mother, Mrs. William Cooper.

The August issue of *Southern Bell Telephone News* was devoted to stories and pictures of Tennessee. The cover illustration was a picture of the state capitol. In addition to general information about the state, there was an article on each of the larger cities.

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DIRECTORY OF CONTRIBUTORS

L. Paul Gresham is dean of arts and sciences and professor of history at Trevecca Nazarene College, Nashville, Tennessee.

Paul M. Fink, of Jonesboro, Tennessee, is grand marshal of the Grand Lodge of Tennessee, F & A M.

Nathalia Wright is assistant librarian of Maryville College, Maryville, Tennessee.

James B. Campbell is instructor of history at Bradley University, Peoria, Illinois.

D. C. Corbitt is head of the department of history and government at Asbury College, Wilmore, Kentucky. Roberta Corbitt, his wife, an accomplished linguist, assisted in the translations.

Weymouth T. Jordan is research professor of history at Alabama Polytechnic Institute, Auburn, Alabama.

Martha L. Ellison is reference librarian and head of the McClung Collection, Lawson McGhee Library, and secretary of the East Tennessee Historical Society.

Pollyanna Creekmore is employed by the Lawson McGhee Library. Laura E. Luttrell is treasurer of the East Tennessee Historical Society.

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